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INDEX

Page: 1

Barcode Number	Box Number	Total of Volumes	Call Number
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LC Control Number  clc96 000441	2122 ↓	35	UF79.A2- mo. 1-35 (1928-42)
LIBRARY OF CONGRESS  0 029 767 591 6			

X CollectionINDEXPage: 2

Barcode Number	Box Number	Total of Volumes	Call Number
LIBRARY OF CONGRESS  0 029 767 592 8	2123A	26	UF79.A2 no. 1-26 (1928-42)
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LIBRARY OF CONGRESS  0 029 767 594 1	2124A	14	UF79.A2 no. 1-14 (1932-41)
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X-UB 342

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THE WHITE HOUSE

WASHINGTON

May 25, 1944

National Committee on Conscientious Objectors,
American Civil Liberties Union,
170 Fifth Avenue
New York, New York

JUL 2 1944

Gentlemen:

At my request, the Secretary of War and the Director of Selective Service have prepared and transmitted to me the results of their studies of suggestions made by the committee consisting of Messrs. Ernest T. Angell, Rufus M. Jones, and W. Appleton Lawrence, concerning the treatment of conscientious objectors. Copies of report of the Director of Selective Service and letter from the Secretary of War are inclosed.

I deeply appreciate your interest in the matter and trust that the information contained in the inclosed reports will indicate to you, as it does to me, that the problem has received and is receiving sympathetic and appropriate consideration.

When you are convinced that further consideration should be given to the classification or the parole of an individual registrant, I would urge that you submit the matter to the Director of Selective Service.

Very sincerely yours,

/s/ Franklin D. Roosevelt

X-UB 342.05 N2 #1

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NATIONAL COMMITTEE ON CONSCIENTIOUS OBJECTORS

Organized by the

AMERICAN CIVIL LIBERTIES UNION

170 FIFTH AVENUE • NEW YORK 10 • TEL.: GRAMERCY 7-4330

X-UB 342

.25²

March 7, 1944

Hon. Franklin D. Roosevelt
The White House
Washington, D. C.

Dear Mr. President:

We desire to put before you certain suggestions relating to the treatment of conscientious objectors, which in our judgement require executive orders.

Our sole object in doing so is to utilize to the full the services of every man found to be a genuine conscientious objector, to determine more fairly who are genuine objectors; and to replace with civilian officials the control by military men now exercised through Selective Service. We believe that our suggestions conform to the intent of the Selective Service Law whose administration has failed, in our judgment, at the points we indicate.

We enclose a memorandum covering the four requests we desire to put before you for your consideration, together with some observations in support of it.

We are, Mr. President,

Yours respectfully,

/s/ ERNEST ANGELL

RUFUS M. JONES

W. APPLETON LAWRENCE

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X-UB 342

215 N2

May 22, 1944

The President

The White House

Dear Mr. President:

THE LIBRARY OF
CONGRESS
SERIALS ACQUISITION

JUL 21 1944

The Director of Selective Service has submitted to you his report concerning the first three proposals of the committee consisting of Messrs. Ernest T. Angell, Rufus M. Jones, and W. Appleton Lawrence, concerning the treatment of conscientious objectors. I desire to make the following statement with reference to the fourth proposal of the committee, which suggests that a committee, preferably civilian, be appointed "to examine the cases of all conscientious objectors which have arisen in the Army with a view to reclassifying those who have gotten into the Army by error."

U.S. GOVERNMENT
PRINTING OFFICE

The War Department has established a procedure for handling the cases of general prisoners who are confined in the United States Disciplinary Barracks as a result of conviction by general courts-martial for military offenses growing out of their religious beliefs. All such cases are examined with the view of determining the sincerity of the individual's religious beliefs, and under our procedure we are able, in proper cases, to discharge the individual into the custody of the Director of Selective Service for work of national importance. The Army is not authorized to and does not reclassify the men, as classification must be accomplished by Selective Service, under the law. The proposed civilian committee would likewise have no authority to accomplish reclassification.

I therefore submit that no useful purpose can be served by the appointment of a committee, as recommended in the fourth proposal made by the National Committee on Conscientious Objectors.

Respectfully yours,

(Sgd.) Henry L. Stinson

Secretary of War.

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NATIONAL COMMITTEE ON CONSCIENTIOUS OBJECTORS

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X-UB 342

.115 N2

March 7, 1944

Hon. Franklin D. Roosevelt
The White House
Washington, D. C.

Dear Mr. President:

We desire to put before you certain suggestions relating to the treatment of conscientious objectors, which in our judgement require executive orders.

Our sole object in doing so is to utilize to the full the services of every man found to be a genuine conscientious objector; to determine more fairly who are genuine objectors; and to replace with civilian officials the control by military men now exercised through Selective Service. We believe that our suggestions conform to the intent of the Selective Service Law whose administration has failed, in our judgment, at the points we indicate.

We enclose a memorandum covering the four requests we desire to put before you for your consideration, together with some observations in support of it.

We are, Mr. President,

Yours respectfully,

/s/ ERNEST ANGELL

RUFUS M. JONES

W. APPLETON LAWRENCE

X-UB 342.115 N2-4

MEMORANDUM TO THE PRESIDENT CONCERNING CONSCIENTIOUS OBJECTORS:

X-UB 342
.45 N2

1. We suggest that an executive order be issued to remove the supervision of Civilian Public Service from Selective Service to a more appropriate administrative agency under civilian direction, as contemplated by the Selective Service Act.

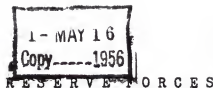
We suggest that this should be removed either to the Interior Department or the Department of Agriculture, to continue supervision of the present camps and of detached service and the assignment of men to them. If that for any reason is impracticable, an alternative is to place in the hands of the religious agencies now operating the camps their sole control, under supervision of a civilian officer in the War Manpower Commission. The two government-run camps could be placed under the control of the departments now responsible for their work projects.

We suggest that the executive orders should include a direction of a larger variety of more useful and significant work than is now done in these camps; and that permission be given to compensate it at a rate not exceeding that of a private in the army.

2. We suggest that an executive order should be issued to replace the present Appeals Board in Selective Service, composed wholly of military officers, with a special Appeals Board of civilians to hear the appeals of conscientious objectors. This suggestion is made in order to put the difficult questions of determining conscience in the hands of civilians and thus to help overcome the many injustices which now mark the present system.

X-UB 342, U5 N2 #5

AIR FORCE REGULATION)
NO. 45-40)



*ARF 45-40
DEPARTMENT OF THE AIR FORCE
WASHINGTON, 26 OCTOBER 1949

SEPARATION OF COMMISSIONED AND ENLISTED PERSONNEL FROM AIR FORCE RESERVE:

Purpose - - - - - Paragraph 1
Separation of Commissioned Reservists - - - - - Paragraph 2
Discharge of Enlisted Reservists - - - - - Paragraph 3

1. Purpose. This Regulation establishes the criteria and procedures for the separation or discharge from the Air Force Reserve of commissioned and enlisted Reservists who are not serving on extended active duty.

2. Separation of Commissioned Reservists:

a. General. Appointments in the Air Force Reserve are terminated by the following:

- (1) Dismissal.
- (2) Expiration of term of appointment.
- (3) Resignation.
- (4) Vacation of appointment.
- (5) Discharge.
- (6) Death.

b. Dismissal. The dismissal of a commissioned officer from the Air Force Reserve will apply only to Reserve officers on active duty and will be governed by the provisions of Article of War 118.

c. Term of Appointment. The appointment of a commissioned officer in the Air Force Reserve will be for a five-year period, unless sooner terminated as provided for herein. At the completion of each five-year period, the appointment may be renewed for another five years. However, if not renewed, the appointment will be automatically terminated. During the existence of a state of war of National emergency there will be automatic extensions of appointments.

d. Resignation. A commissioned officer may tender his resignation from the Air Force Reserve. The officer concerned will submit a letter containing a formal tender of resignation of his appointments in the Air Force Reserve and Air Force of the United States plus a statement of the reasons for which he is tendering his resignation. The letter of resignation will be submitted to the numbered air force within the Continental Air Command in whose area he resides for separation action. Conditional resignations will be considered only for the purpose of termination of appointment in the Air Force Reserve and Air Force of the United States in order to accept appointment in a Reserve force of another service of the United States.

e. Vacation of Appointment. The acceptance by a Reserve officer of a commission in the Regular Air Force or the Air National Guard of the United States will automatically terminate his appointment in the Air Force Reserve.

f. Discharge of Officer. Any Reserve officer may be discharged from his appointment in the Air Force Reserve at any time at the discretion of the President



National Service Board for Religious Objectors

1000 Eleventh Street, N. W.
Washington 1, D. C.

Telephone:
EXecutive 0230

Stauffer Curry,
Executive Secretary

August 10, 1950

Dear Reporter Reader:

The nature and frequency of requests for information regarding conscientious objectors and the Selective Service Extension Act of 1950 have led to the sending of this, another typed document, to our Reporter readers. In it are listed some questions most frequently asked, with answers. The data are quite elementary and are for use in the more frequent and less complicated cases. More complete information is in the process of preparation and can be secured by writing to our office. If legal help is needed in the more involved cases, we will also be glad to help men in securing this service. Most denominational and peace agency headquarters are also able to supply information and help.

It should be noted again that the draft law and Selective Service regulations pertaining to conscientious objectors have not changed with the extension of the draft to July 9, 1951. Thirteen packets of Selective Service regulations have been released since August 4, 1948. These regulations are still in effect. A new packet just released contains regulation 1604.6 by which is "created and established within the Selective Service System a civilian agency of appeal which shall be known as the National Selective Service Appeal Board." This National Board will deal with conscientious objector cases, as well as other cases, which are appealed to the President. Not every person concerned with CO problems will need a copy of the Selective Service regulations, but some would find them helpful. You can secure a copy by sending \$3.00 to the Superintendent of Documents, Washington 25, D. C., and asking for Selective Service Regulations, Catalog No. Y 3.5e 4:7.

It should be observed that Selective Service regulations change from time to time. Therefore, the validity of the information contained in these pages cannot be assured beyond the date above. If this folder is referred to at any appreciable time after the date of release, it should be checked against the possibility of any later revisions. Anyone subscribing to the Selective Service regulations should inform the Superintendent of Documents to send any subsequent additions or revisions. One of our functions here is to try to keep abreast of any changes.

We will be glad for your suggestions and counsel as we strive to render as complete and effective services to conscientious objectors as we can. Send us your reactions to this release. It will be helpful in preparing further information.

Sincerely yours,

A. Stauffer Curry

A. Stauffer Curry
Executive Secretary

ASC:MBB

P.S. Additional copies of this release will be supplied upon request.

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X-UB 342.05N3 #8

National Service Board for Religious Objectors

941 MASSACHUSETTS AVE., N. W.
WASHINGTON 1, D. C.
TELEPHONE EXECUTIVE 0230

Paul L. Goering,
Associate Secretary

Stauffer Curry,
Executive Secretary

New Address: 1000 Eleventh Street, N.W.
Washington 1, D.C.

July 22, 1950

Dear Reporter Reader:

The next issue of The Reporter is under way. You will receive your copy shortly. In view of current developments, however, we believe you would be interested in several matters immediately. Hence, this memorandum.

The National Service Board in New Quarters

On June 1, 1950, the lease on the old NSERO establishment at 941 Massachusetts Avenue, N.W. was terminated and the office moved to more convenient and more modern office quarters at 1000 Eleventh Street, N.W., Washington 1, D. C. If you are acquainted in Washington you observe that this is just around the corner from our former office. We are on the third floor of the building, adjacent to the Washington offices of the Council on Christian Progress of the American Baptist Church, the Division of Social Education and Action of the Presbyterian Church, U.S.A., and the Women's Division of the Methodist Church. On the floor below us is the Friends Committee on National Legislation. We feel that the proximity to these groups will be of decided advantage as we try to carry on the intercarnational and interfaith aspects of our work in serving conscientious objectors of all groups.

Effect of Korean Situation

At the time the war in Korea began, both the House and Senate had passed "stand-by" Selective Service Extension bills. The House revision provided that inductions should take place only if a Concurrent Resolution of both Houses of Congress authorized them, rather than allowing the President to order inductions. The Senate version did not limit the President as drastically, but provided that he could order inductions only if Congress were not in session and he declared a national necessity existed. It looked as if the Conference Committee of Congress would have a difficult time working out the differences. But the Korean crisis arose meantime, and the draft was not only extended in its present form for another year, with the President having full authority to order inductions, but also gave him added power to call up the National Guard and Reserves if necessity demanded. Since then, of course, the President has ordered inductions.

Advisory Services to All CO's

In our office the effect of the international situation, with its attendant activation of the draft, has been a large increase in the number of letters asking for advice regarding draft status, procedures in securing the IV-A classification, procedures to follow in changing classifications, steps to take in appealing cases, how to secure legal advice, and the like. Advisory services regarding these and other problems are available from the NSB to all sincere conscientious objectors, regardless of background, religious affiliation, or particular variety of religious belief. As you may know, we now have forty groups on our Consultative Council. (You may be able to discern the list faintly printed on the reverse side of this stationery.)

BOARD OF DIRECTORS

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Akron, Pa.

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Milwaukee 11, Wis.

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Indianapolis 7, Ind.

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22 South State St.,
Elgin, Ill.

REVISED DRAFT RESOLUTIONS ON
CONSCIENTIOUS OBJECTION

1 - MAY 16

1956

SUBMITTED TO THE CENTRAL COMMITTEE BY A SPECIAL SUB-COMMITTEE

The Central Committee of the World Council of Churches, having adopted the following resolution at its meeting in Toronto, Canada, 9-15 July 1950:

"AGREED: WHEREAS, the Central Committee considers that the conscientious decision of Christians with regard to participation or non-participation in war are to be respected and that therefore all nations should make provisions concerning conscientious objectors:

"RESOLVES: to appoint a committee to prepare a draft statement concerning the desirable principles on which such legislation should be based for submission to the Central Committee at its next meeting,"

receives with appreciation the report submitted to it by the Committee on Conscientious Objection and recommends:

I. That the following provisions designed to safeguard the right of conscientious objection be transmitted by the General Secretary of the W. C. C. to Member Churches and by C. C. I. A. to National Commissions of the Churches on International Affairs:

1. Conscientious objection shall be recognized as objection to performing military training or service, and to performing combatant duties or activities in support of war, with the understanding that every conscientious objector has the duty to render equivalent service toward the well-being of the community.
2. In countries where legislation provides for the recognition of conscientious objection, conscientious objectors should make use of such provisions, including registration and other arrangements for an orderly witness to conscience.
3. In every country a conscientious objector shall be entitled to appeal to an impartially composed civilian tribunal established for an orderly witness to conscience.
4. The proceedings of all civilian tribunals for conscientious objectors shall be open to the public.
5. In no country shall the death penalty be imposed, in peace or in war, upon any civilian for conscientious objection. The conscientious objector as such shall suffer no derogation of human rights.
6. A conscientious objector shall be entitled to exemption from the normal requirements of the laws of military training and service, it being understood that provision shall be made for exemption in one of the following ways:
 - a) exemption without conditions
 - b) exemption conditional upon the acceptance of work of a civilian nature under civilian control, such work to be specified by a civilian tribunal.
 - c) exemption conditional upon the performance of non-combatant duties only.

AR 615-203

ENLISTED PERSONNEL

BY ORDER OF THE SECRETARY OF THE ARMY:

OFFICIAL:

WILL E. BERGIN
Major General, USA
The Adjutant General

J. LAWTON COLLINS
Chief of Staff, United States Army

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Reproduced by:
National Service Board
1105 K Street, N.W.
Washington 5, D.C.

7-11-54
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ARMY REGULATIONS
No. 615-203

1 - MAY 16

ENLISTED PERSONNEL

* AR 615-203

DEPARTMENT OF THE ARMY
Regulation No. 615-203, December 1951

CLASSIFICATION, ASSIGNMENT, AND TRANSFER OF
CONSCIENTIOUS OBJECTORS

Paragraph

1. General.....
2. Classification of registrants.....
3. Claims for classification.....
4. Assignment.....
5. Training and discipline.....
6. Utilization and discipline.....
7. Identification in reports.....
8. Identification in reports.....

1. General.—These regulations set forth procedures for identification and utilization in the Army of enlisted and inducted individuals who are conscientious objectors.

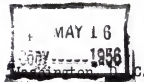
2. Classification of registrants.—a. The local boards of the Selective Service System have exclusive jurisdiction over the classification of registrants, subject to appeal, who claim exemption due to conscientious objection. Local boards have been instructed to enter on DD Form 47 (Record of Induction) under item 4, section 1, that the registrant has been classified as either a conscientious objector or otherwise. This will be accomplished prior to the time he is ordered to report to an Armed Forces induction station for the preinduction examination. Such classification is final.

b. Classification as conscientious objector is based on the following quotation from Selective Service regulations:

Class 1-A-O: Available for noncombatant military services conscientious objector. In Class 1-A-O shall be placed every registrant who would have been placed in Class 1-A if he had been a conscientious objector to military or religious training and held to be conscientiously opposed to participation in service in which he might be ordered to take human life, but not conscientiously opposed to noncombatant military service in which he could contribute to the health, comfort, and preservation of others.

c. The Qualification Record—Enlisted Personnel (DA AGO Form 29) of men classified as 1-A-O by Selective Service local boards will so indicate and assignments and transfers within the Army will be made accordingly.

3. Claims for classification.—a. An enlisted man who, after arrival at a training installation, claims to be a conscientious objector to combatant duty and that he was so classified by his Selective Service local board, but whose DD Form 47 does not so indicate, will be required to set forth the claim in a written statement. The training installation commander will forward the statement to the appropriate Selective Service local board with request for information as to whether or not the individual concerned should have been classified as 1-A-O. If it is determined that such individual has been classified as 1-A-O, this information will be placed on his qualification record and the individual will be further processed and assigned as a conscientious objector, as provided in paragraph 4b. In cases where the local board denies that the individual was classified as 1-A-O,

Department of Justice

X-UB342

.USN3

X-UB342. USN3 #11

1. A formal petition for Executive clemency, addressed to "The President of the United States," executed in duplicate and signed by the petitioner, must be submitted to "The Attorney General" before the question of Executive clemency will be considered. Appropriate forms of petition will be supplied by the Department upon application therefor. These forms may also be obtained from the wardens of the several Federal institutions.

2. The petition should state the name of the applicant, his age, previous criminal record, if any, whether a citizen of the United States or an alien, and, if naturalized, his nationality, the date of his naturalization, his previous occupation and place of residence, the crime of which he was convicted, and the court, district, State, sentence, date of sentence, the penitentiary or prison to which he was sentenced, and the grounds upon which clemency is asked. The petition should be endorsed by two or more credible persons who know the petitioner and are familiar with the facts in the case. (See also rule 16 as to petitions for Executive clemency after completion of sentence.) Additional petitions may be presented signed by citizens generally, but the post-office address of each person so signing should be plainly stated.

3. Petitions should be filed sufficiently in advance of the date when action is desired to enable the pardon attorney to secure the necessary reports and prepare the case, and to allow the Attorney General and the President time to give the petition appropriate attention.

4. Petitions for Executive clemency by persons convicted in military or naval courts or tribunals should be sent to the Secretaries of the Army, Navy, or Air Forces.

5. Petitions relating to offenses committed against the United States in Puerto Rico, Hawaii, Virgin Islands, and Canal Zone, and both Federal and Territorial offenses committed in Alaska should be addressed to the President of the United States, and follow the outline indicated in rule 2. In an urgent case such a petition may be presented to the United States attorney for the Territory or division in which the petitioner was convicted, who will proceed in accordance with rule 11 and forward the petition with the required reports and recommendations to the Attorney General. If the petitioner is confined in an institution within the Territory, the United States attorney will procure and forward reports from the warden and the institutional physician.

6. Petitions relating to offenses against Territorial laws, except in Alaska, should be sent to the Governor or Board of Pardons of the Territory where the offense was committed.

7. A petition for Executive clemency will not be regularly entertained until after the person convicted has served some portion of the term of imprisonment, nor, if such term is more than 1 year, unless he has reached his parole eligibility date and been denied parole. Every prisoner applying before his parole eligibility date must show why parole procedure, in due course, would not substantially meet the requirements of his case.

8. A petition for Executive clemency by a person on parole will not be entitled to be referred under rule 11, unless the petitioner has been under parole supervision not less than 4 years. (See rule 16.)

9. Petitions for Executive clemency will not be submitted to the President pending appeals from judgments of conviction; nor shortly before the expiration of sentence, except in unusually urgent and meritorious cases.

1 MAY 16

X-UB 342-05N3
#12

The FBI investigation of registrants unsuccessfully claiming CO status has long been a source of criticism by lawyers handling draft violation cases. The reason is simple. The FBI report may be wholly, or in part, the reason for denial of the CO claim by the Appeal Board, and therefore can be the underlying basis for prosecution and conviction albeit the accused registrant never had an opportunity to be confronted by or cross-examine or even know the names of those who have testified against and helped convict him. As every lawyer knows, it is a fundamental principle of law that a person accused of a crime has a right to be confronted by his accusers.

X-UB342

This inequity has been greatly worsened by the recent amendment to SS Regulation 1626.25 (Executive Order 10363). Under the earlier regulation, when an appeal was made from an adverse ruling by the Local Board, the Appeal Board was under compulsion to consider de novo the registrant's file as it came up from the Local Board and to determine if the registrant was entitled to a CO classification on the basis of what was in the file at that time. If it decided against the registrant, then and only then was an FBI investigation made. Thus, if the Appeal Board made a conscientious appraisal of the registrant's file before the file was turned over to the Justice Department (FBI), it was acting as a true appellate tribunal, and the government could argue with some logic that the registrant had had a proper appeal and that the FBI report was simply "something extra" from which the registrant had much to gain and little to lose.

But under the Amendment to SS Regulation 1626.25, the procedure has been significantly changed and, in my humble opinion, can work such prejudice on the registrant as to amount to a denial of the due process guaranteed by the Constitution. In a very real sense, his right of appeal has been taken from him. Now, when a CO appeals from an adverse ruling of his Local Board, the Appeal Board no longer considers and classifies on the basis of the evidence that has been considered by the Local Board. Instead, the file is first turned over to the Justice Department for an FBI investigation, new evidence is added to the file, a hearing is had, more new evidence is added to the file, and then the Appeal Board for the first time considers the appeal and makes its determination. Under this set up, the Appeal Board is no longer acting as a true appellate tribunal and in the so-called appeal procedure, the FBI report (with its undisclosed informants) comes directly into the consideration by the Appeal Board. Clearly then, if the Appeal Board denies the CO claim, and the registrant refuses induction because of religious convictions and suffers criminal prosecution therefor, his unknown accusers have directly helped convict him.

The New Appeal Procedure is a very serious and possibly unlawful curtailment of a fundamental right--the right of appeal. And since the Selective Service System under the new Regulation 1626.25, no longer allows an appeal in the true sense of the word, it would seem that the Federal Courts must act as the appellate tribunal and consider all CO cases that come before them on the basis of substantive merit. This would mean that the COX and ESTEP cases, insofar as they preclude the Federal Courts from considering the merits of CO cases, should no longer be binding on the Federal trial courts.

There is an interesting sidelight to the new Regulation. Since the Appeal Board is no longer restricted to a consideration of the evidence considered by the Local Board (it now will also consider the reports of the FBI and the Hearing Officer), it would follow that the registrant and others in his behalf could continue to submit evidence in support of his claim up to the actual time when his case is considered by the Appeal Board.

Robert B. Myers, Attorney at Law
Rockville, Maryland

July 1, 1952

(copy)

BRIEF HISTORY OF ALIENS AND MILITARY SERVICE

1 - MAY 16
Copy-----1956

Excerpt from the brief of "Paul Moser vs United States of America"

by Jack Wasserman

Released by NSERO, 1105 K St., N. W., Washington 5, D. C.

UB342

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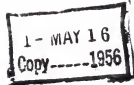
X-08342.05N3 #13

In 1804 Madison expressed the view that neutral aliens could "never be rightfully forced into military service particularly external service" and that they were protected therefrom by the law of nations (4 Moore International Law Digest 52). In 1862, Secretary of State Seward wrote that "there is no principle more distinctly and clearly settled in the law of nations than the rule that resident aliens not naturalized are not liable to perform military service" (4 Moore, supra, p. 53). He also asserted "I can hardly suppose that there exists anywhere in the world, the erroneous belief that aliens are liable here to military service" (4 Moore, supra, pp. 52-53). Nevertheless, the Civil War Act of March 3, 1863 (12 Stat. 731) subjected to military service "persons of foreign birth who shall have declared on oath their intention to become citizens." Diplomatic protests followed on the ground that compulsory military service of foreign nationals would violate home laws and the law of nations. As a result by proclamation, declarant aliens were given the right to withdraw their declaration but were required to leave the country within sixty-five days (May 8, 1863, 13 Stat. 732). In 1880 when American nationals were impressed into military service by Mexico, Secretary of State Blaine asserted that compulsory draft of neutrals was a violation of international law (4 Moore, supra, p. 61). The Act of April 22, 1898 (30 Stat. 361, c. 187) included declarant aliens. On September 26, 1917, Secretary of State Lansing admitted the existence of the principle of international law preventing the compulsory drafting of neutral aliens except if the Nation is called upon to resist an invasion. (Hearings before the House Committee on Military Affairs 65th Congress, 1st Session 1917, pp. 4, 10 (S. J. Res. 84)).

The Selective Service Act as originally enacted during the first World War again included all declarant aliens (Act of May 18, 1917, 40 Stat. 76, sec. 2). "Almost at the very beginning, the neutral nations' diplomatic representatives approached the State Department with numerous requests to relieve their nationals from the operation of the law, and many protests were filed against the induction of individual aliens into the military service, as being in violation of international law and treaty obligations." (Second Report of the Provost Marshal General (1919) p. 98. See also III Hackworth, Digest of International Law (1942) 603 et seq.). The law was amended to provide for a claim of exemption by declarant aliens upon withdrawal of their declarations of intention which would operate to forever bar them from becoming American citizens (Act of July 9, 1918, 40 Stat. 845, 885).

Several attempts were made in Congress to make the provisions in regard to declarant aliens applicable to non-declarant aliens but none were successful. (See Tatum v. U. S., 12 F. (2nd) 763, 764 (C. C. A. 1st, 1926)). In 1931 the statute was modified by permitting the naturalization of any neutral alien whose withdrawal of the declaration of intention, application for discharge, and discharge occurred after November 11, 1918 (46 Stat. 1087). These statutes were repealed by the Nationality Act of 1940 (8 U. S. C. A. 904). It has been held that this repeal operated to restore the right to apply for naturalization to those previously debarred from naturalization as neutral aliens who had claimed exemption during World War I. (Interpretation 1 of the Immigration Service, June 5, 1941; In re Carlson 730-F 259736 (D. C. Ill. 1942); Petition of Otness, 49 F. Supp. 220 (N. D. Calif. 1943); Contra, In re Urmenta, 42 F. Supp. 138 (D. C. Wisc. 1941)). On September 16, 1940, when the present Selective Training and Service Act was passed, only declarant aliens were

Public Law 444 - 82d Congress
Chapter 477 - 2d Session
H. R. 5673
Immigration and Nationality Act



Oath of Renunciation and Allegiance

Sec. 337. (a) A person who has petitioned for naturalization shall, in order to be and before being admitted to citizenship, take in open court an oath (1) to support the Constitution of the United States; (2) to renounce and abjure absolutely and entirely all allegiance and fidelity to any foreign prince, potentate, state or sovereignty of whom or which the petitioner was before a subject or citizen; (3) to support and defend the Constitution and the laws of the United States against all enemies, foreign and domestic; (4) to bear true faith and allegiance to the same; and (5) (A) to bear arms on behalf of the United States when required by the law, or (B) to perform non-combatant service in the Armed Forces of the United States when required by the law, or (C) to perform work of national importance under civilian direction when required by the law. Any such person shall be required to take an oath containing the substance of clauses (1) through (5) of the preceding sentence, except that a person who shows by clear and convincing evidence to the satisfaction of the naturalization court that he is opposed to the bearing of arms in the Armed Forces of the United States by reason of religious training and belief shall be required to take an oath containing the substance of clauses (1) through (4) and clauses (5) (B) and (5) (C), and a person who shows by clear and convincing evidence to the satisfaction of the naturalization court that he is opposed to any type of service in the Armed Forces of the United States by reason of religious training and belief shall be required to take an oath containing the substance of clauses (1) through (4) and clause (5) (C). The term "religious training and belief" as used in this section shall mean an individual's belief in a relation to a Supreme Being involving duties superior to those arising from any human relation, but does not include essentially political, sociological, or philosophical views or a merely personal moral code. In the case of the naturalization of a child under the provisions of section 322 or 323 of this title the naturalization court may waive the taking of the oath if in the opinion of the court the child is unable to understand its meaning.

(b) In case the person petitioning for naturalization has borne any hereditary title, or has been of any of the orders of nobility in any foreign state, the petitioner shall in addition to complying with the requirements of subsection (a) of this section, make under oath in open court in the court in which the petition for naturalization is made, an express renunciation of such title or order of nobility, and such renunciation shall be recorded in the court as a part of such proceedings.

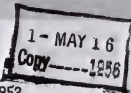
(c) If the petitioner is prevented by sickness or other disability from being in open court, the oath required to be taken by subsection (a) of this section may be taken before a judge of the court at such place as may be designated by the court.

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JUN 3

information release



EXPERIENCE OF CONSCIENTIOUS OBJECTORS UNDER THE IMMIGRATION AND NATIONALITY ACT OF 1952

I. Background

The present provisions for the naturalization of conscientious objectors have a long history of litigation. The first naturalization act was passed in 1790 and was succeeded by another in 1795. There were no major changes until the act of 1906,¹ which contained the following oath of allegiance:

"I hereby declare, on oath, that...I will support and defend the Constitution and laws of the United States against all enemies, foreign and domestic, and bear true faith and allegiance to same."

Following World War I the Immigration and Naturalization Service began inquiring of applicants for naturalization whether they would bear arms if called upon to do so by the government. This stipulation was tested in the Supreme Court in 1929 with the case of pacifist Rosika Schwimmer,² followed two years later by the cases of Clergyman Douglas Macintosh,³ and Episcopal nurse Marie Eland.⁴ The Supreme Court decided that none of these persons were eligible for citizenship, thus establishing the principle that new citizens must promise to bear arms.

When the Naturalization Act was again revised in 1940,⁵ the 1906 oath of allegiance was retained in substantially the same form. Again the matter was brought to the Supreme Court for a decision. This time the Court, by a five to three vote, flatly and frankly reversed its Schwimmer, Macintosh and Eland decisions and declared that James Girouard,⁶ a Seventh Day Adventist opposed to combatant service, was eligible for citizenship.

The Supreme Court took the next logical step in 1950 when it ruled that Cohnstaedt,⁷ an alien applicant who was opposed to all forms of military service, was also eligible for citizenship under the 1940 Naturalization Act.

In 1950 Congress enacted the Internal Security Act⁸ which included two oaths, one exacting declaration of willingness to bear arms, followed by an alternative oath which could be taken by aliens religiously opposed to military service.

II. Present Provisions for the Naturalization of Conscientious Objectors

When Congress passed the Immigration and Nationality Act in 1952,⁹ it included an oath of renunciation and allegiance which specifically provided for conscientious objectors, both those willing to serve in noncombatant duty and those opposed to military service of any kind.¹⁰ The legislative history of the Act clearly shows that Congress intended that the definition and categories of conscientious objectors described in Section 337(a) should correspond to the Selective Service Act.¹¹

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EXECUTIVE ORDER

1 - MAY 16
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PREScribing A PORTION OF THE
SELECTIVE SERVICE REGULATIONS

By virtue of the authority vested in me by Title I of the Universal Military Training and Service Act (62 Stat. 604), as amended, I hereby prescribe the following portion of the regulations governing the administration of Title I of said Act, as amended, which shall constitute a portion of Part 1660 of Chapter XVI of Title 32 of the Code of Federal Regulations, and a portion of the Selective Service Regulations:

PART 1660--CIVILIAN WORK IN LIEU OF INDUCTION

- Sec.
1660.1 Definition of appropriate civilian work.
1660.10 Volunteering for civilian work.
1660.20 Determination of type of civilian work to be performed and order by the local board to perform such work.
1660.21 General provisions relating to orders by the local board to perform civilian work and performance of civilian work.
1660.30 Failure or neglect to obey order to perform civilian work.
1660.31 Administration of registrants while performing civilian work.

1660.1 Definition of appropriate civilian work. (a) The types of employment which may be considered under the provisions of section 6(j) of title I of the Universal Military Training and Service Act, as amended, to be civilian work contributing to the maintenance of the national health, safety, or interest, and appropriate to be performed in lieu of induction into the armed forces by registrants who have been classified in Class I-O shall be limited to the following:

(1) Employment by the United States Government, or by a State, Territory, or possession of the United States or by a political subdivision thereof, or by the District of Columbia.

(2) Employment by a nonprofit organization, association, or corporation which is primarily engaged either in a charitable activity conducted for the benefit of the general public or in carrying out a program for the improvement of the public health or welfare, including educational and scientific activities in support thereof, when such activity or program is not principally for the benefit of the members of such organization, association, or corporation, or for increasing the membership thereof.

1 - MAY 16

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X-UB 342.05 N3 #17

I appeared at the local board offices at 3 o'clock. With me were my parents, a neighbor, Mrs. --, and my minister, Rev. --. We were pointed to chairs and we were seated. At about 3:15 the clerk for the local board called my name. I responded, handed her a letter stating that I had with me the above mentioned individuals. The clerk stamped the letter with a date stamp and then gave it to the board members.

I was first introduced to the board members, Mr. --, and Mr. --. An overall impression of these men is that they were aware of what was in my file in a general manner. They had probably read it hurriedly just before the hearing. They appeared to be well educated, however they made no attempt to be overly cordial. The attitude was a very positive antagonism to me personally, and to the viewpoint I hold. I feel that in their questioning they acknowledged the sincerity of my position but could not bring themselves to vote to let me have the classification I requested. The attitude they held toward Conscientious Objection is one that could be expected from official American Legion, and it seemed to me that they held as tenaciously to the view that they were right and I wrong, as I held the view that my stand was the correct one and the warring stand the incorrect one. A third person, a coordinator, Mrs. -- was also present. She asked the questions on the part of the board, and took shorthand notes on most of my answers. No attempt was made to take down all of the answers verbatim, nor was there any attempt to take down all of the conversation as it developed. Mrs. -- took part in much of the discussion and her remarks did not seem (not being a judge of shorthand, I do not know) to be placed in her notes. The clerk for board -- was present and seemed to be taking notes also. The following is an approximation of the hearing as it developed. It was made several hours after the hearing.

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ML: (Clerk) What sports have you been active in? Name and describe.

TMB: I took some swimming at the university.

ML: Anything else?

TMB: Not much else.

A: (Board Member A) Football?

ML: Football, basketball, baseball?

TMB: No

A: Tennis? Track?

TMB: I took a little Tennis but gave it up as I didn't have time for it.

ML: Nothing else?

TMB: I've played quite a bit of volleyball.

ML: Have you ever done any hunting?

TMB: No, I've done quite a bit of fishing.

ML: Ever been out of the state?

TMB: Yes, when I was 10, I was sent to Wyoming for my health.

ML: Do any hunting there?

TMB: No.

ML: Handle any guns there?

TMB: No.

ML: Ever handle any guns?

TMB: No.

ML: Pistol? Shotgun? 22?

TMB: No.

ML: Not even a beeby gun---

TMB: No. In my family we were taught that it was not right to use guns or to play with them.

ML: Do you believe in self-protection?

TMB: I do not believe in killing---

ML: Do you believe in self-protection?

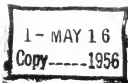
TMB: I believe in non-resistance which is not exactly self-protection.

ML: Do you believe in self-protection?

TMB: No.

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QUESTIONS AND ANSWERS

on the

Classification and Assignment of Conscientious Objectors

Published by the

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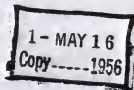
November, 1952

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CONSCIENTIOUS OBJECTORS IN EUROPE



Excerpts of a Report by

Dr. Guy F. Hershberger

Professor, Goshen College, Indiana

Published by
NATIONAL SERVICE BOARD FOR
RELIGIOUS OBJECTORS
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1 - MAY 16
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X-UB 342. U5N3 #20

ANALYSIS 2

INFORMATION
RELATING TO COUNTRIES
WHICH GIVE LEGAL RECOGNITION
TO CONSCIENTIOUS OBJECTION
TO MILITARY SERVICE

Possible Exemptions:

1. Total and unconditional.
2. Conditional on doing civilian work.
3. From combatant service and conditional
on doing non-combatant service.
4. Only postponement granted.

MEETING WITH A LOCAL BOARD
AND REPRESENTATIVE OF THE STATE DIRECTOR

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1- MAY 16

Copy-----1956

On Thursday, July 2, 1953, at 10:00 A. M. I arrived at the office of my local board in Los Angeles for the meeting authorized by SSR 1660.20 (c). Five members of the board, the clerk of the board, and Lt. Col. Keeley of LA District SS Hq. were present. Col. Keeley presided, and did most of the talking. Throughout, everyone present was courteous and pleasant; not antagonistic, but anxious to get the matter settled as effortlessly as possible.

The Col. began by saying, the purpose of the meeting is to come to some agreement on what work you will do instead of entering the armed forces. He had my Form 152 in his hand; board members alternately looked at #152, at other documents in my file, at their watches, fingernails, at me and at the Col. The Col. spoke on at some length. He commented on my emphasis on SSR 1660.21 (d) and said it did not apply to me, for no retroactive credit was given. He looked at the types of work I had offered in Form 152: Teaching, AFSC-type-of work; refugee-relief work of the sort I had done in Germany. Of Teaching, he said, we couldn't let you do that because we're drafting teachers every day to go to Korea. AFSC is not approved, he said, because they (SS authorities) think you will just go out and try to convert other people to your way of thinking. Refugee-relief work means transferring your case to another area or to national Hq., and we do not know what is approved, he said. There was a boy who was sent to Greece to teach in some missionary school, he went on, but he might not be allowed because it may be the thing he wanted to do rather than being a sacrifice for him. The Col. emphasized several times that this service called for some sacrifice, that it would not be fair for other boys to fight and die in Korea while CO's just sit at home.

His principal emphasis was on the job openings in California. We have the LA County Hospital, he said, that has taken lots of young fellows like you. Some of them have had good education like yours; the pay is better there, than on other approved jobs like the Goodwill Industries; and there is better opportunity for up-grading. At the Goodwill you would just drive a truck or something like work in the shop for the two years, but with your background you would be made an assistant accountant or have some other interesting job after a few weeks. You'd have to begin as an attendant, because of the Civil Service regulations; but you'd be up-graded right away. And he also referred to a Presbyterian Service Committee Neighborhood House in SF of which I had previously been notified. (From the LA County Hospitals, I learned that there is no reason to believe that persons without graduate social work degrees would be promoted above attendant's status during the two years service. The SF Neighborhood House has no openings at the moment.) The Col. pushed these two places continuously. I had shown interest in the Neighborhood House; and there were openings at and many other CO's already successfully assigned to, the LA Hospital.

Somewhere during this, I asked permission to take notes, and to make comments. "Certainly, make notes. Write in later of any thing that you think should be added." And I was invited to make comments as we went along, or at the end of the meeting, as I wished. All the way through I did not feel that this was a serious or heavy meeting, or that the men had come to decide anything. I felt that they had come, and that the Col. was talking, because the regulations said there should be such a meeting. I felt also, that the easy, agreeable manner was (in some part at least) to help me see how easy it would be to go down to the Hospital and sign up for work right away.

I made the following points, before the Col. spent too much time discussing the hospital: My request for retroactive credit under 1660.21 (d) is strengthened by the precedent of the new Doctors Draft Law which gives credit for previous CPS service. Beginning in November 1951, when I was doing refugee-relief work in Germany,

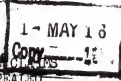
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ADDENDUM NO. I TO INSTRUCTIONS TO HEARING OFFICERS APPOINTED
PURSUANT TO THE UNIVERSAL MILITARY TRAINING AND SERVICE ACT

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X-UB 342. U5N3 #22

NOTICE OF HEARING AND INSTRUCTIONS TO REGISTRANTS WHOSE CLAIMS
FOR EXEMPTION AS CONSCIENTIOUS OBJECTORS HAVE BEEN APPEALED



1. Pursuant to the provisions of section 6(j) of the Universal Military Training and Service Act (P.L. 51, 82nd Cong., 1st Session; 50 USC App. 466(j), hereinafter referred to as the Act, and section 1626. 25 of the Selective Service Regulations, the Department of Justice will make an inquiry and hold a hearing with respect to the character and good faith of the registrant's objections to training and service under the Act on the ground that the registrant is conscientiously opposed to participation in war in any form. The scope of the hearing is restricted to consideration of the merits of the conscientious objector claim. Consideration of ministerial claims and all other claims is within the exclusive jurisdiction of the Selective Service System.

2. The hearing will be conducted by the undersigned, a Hearing Officer duly designated by the Department of Justice as a Special Assistant to the Attorney of the United States.

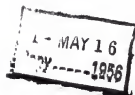
3. It is incumbent upon the registrant to establish that he is entitled to the conscientious objector classification he claims. The registrant has a right to appear at the hearing and make a full and complete presentation of his claim. The registrant may testify orally and may present witnesses in support of his claim. However, no Government funds are available for the payment of witness fees or travel expenses.

4. The registrant may also submit at the hearing written statements or documents, or certified copies thereof, in support of his claim. Written statements shall be sworn to or affirmed before a notary public or other persons authorized to administer oaths.

5. Attached hereto is a resumé of the information developed by the inquiry conducted pursuant to the aforementioned Act. At the hearing the registrant will be entitled to discuss the information contained in the resumé and to present witnesses to refute or corroborate such information.

LOYALTY OATH

H. B. 503--1953 Okla. Leg.)



I, _____, do solemnly swear (or affirm) that, consistent with my citizenship, I will support, obey and defend the Constitution of the United States and the Constitution of the State of Oklahoma, will not violate any of the provisions thereof, and will discharge the duties of my office or employment with fidelity.

I do further swear (or affirm) that I do not advocate by the medium of teaching, or justify, directly or indirectly, and am not a member of or affiliated with the Communist Party or the Cominform or with any party or organization, political or otherwise, known to me to advocate by the medium of teaching, or justify, directly or indirectly, revolution, sedition, treason or a program of sabotage, or the overthrow of the government of the United States or of the State of Oklahoma or a change in the form of government thereof by force, violence or other unlawful means.

I do further swear (or affirm) that I will take up arms or render non-combatant service in the defense of the United States in time of war or national emergency, that is, if by valid law required.

I do further swear (or affirm) that during such time as I am _____,

(Here put name of officer, or, if an employee, insert "An Employee of"--followed by complete designation of the employing officer, agency, authority, commission, department or institution.)

I will not advocate by the medium of teaching, or justify, directly or indirectly, and will not become a member of or affiliated with the Communist Party or the Cominform, or with any party or organization, political or otherwise, known to me to advocate through the medium of teaching, or justify, directly or indirectly, revolution, sedition, treason or a program of sabotage, or the overthrow of the government of the United States or of the State of Oklahoma or a change in the form of government thereof by force, violence or other unlawful means.

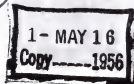
Subscribed and sworn to before me this _____ day of _____, 19 _____

Notary Public or other officer authorized to administer oaths or affirmations

Reproduced by:

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105 K Street, N. W.
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June 26, 1953

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C O N T E N T S

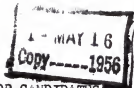
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	<u>Page</u>
Introduction	<u>I</u>
Obtaining Noncombatant Status	1
Basic Training of Noncombatants	2
MOS Assignments after Basic Training	7
Mission of the Army Medical Service	9
Case Histories of Noncombatants	10

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* * * * *

National Service Board for Religious Objectors
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X-UB342-UN3 #25

INFORMATION ON DRAFT EXEMPTION FOR MINISTERS OR CANDIDATES FOR THE MINISTRY

The draft law requires all men between the ages of eighteen and twenty-six to register. This includes ministers and persons studying for the ministry.

Following are the sections of the law which provide complete exemption from training and service for ministers and candidates for the ministry:

Section 6 (g) Ministers of religion.—Regular or duly ordained ministers of religion, as defined in this title ~~2~~ see Section 16 (g) ~~7~~, and students preparing for the ministry under the direction of recognized churches or religious organizations, who are satisfactorily pursuing full-time courses of instruction in recognized theological or divinity schools, or who are satisfactorily pursuing full-time courses of instruction leading to their entrance into recognized theological or divinity schools in which they have been pre-enrolled, shall be exempt from training and service (but not from registration) under this title.

Section 16 (g) (1) The term "duly ordained minister of religion" means a person who has been ordained, in accordance with the ceremonial, ritual, or discipline of a church, religious sect, or organization established on the basis of a community of faith and belief, doctrines and practices of a religious character, to preach and to teach the doctrines of such church, sect, or organization and to administer the rites and ceremonies thereof in public worship, and who as his regular and customary vocation preaches and teaches the principles of religion and administers the ordinances of public worship as embodied in the creed or principles of such church, sect, or organization.

(2) The term "regular minister of religion" means one who as his customary vocation preaches and teaches the principles of religion of a church, a religious sect, or organization of which he is a member, without having been formally ordained as a minister of religion, and who is recognized by such church, sect, or organization as a regular minister.

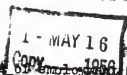
(3) The term "regular or duly ordained minister of religion" does not include a person who irregularly or incidentally preaches and teaches the principles of religion of a church, religious sect, or organization and does not include any person who may have been duly ordained a minister in accordance with the ceremonial, rite, or discipline of a church, religious sect or organization, but who does not regularly, as a vocation, teach and preach the principles of religion and administer the ordinances of public worship as embodied in the creed or principles of his church, sect, or organization.

Section 1622.43 (a) of the Selective Service Regulations specifies the four categories of registrants who are eligible for exemption under Section 6 (g) of the UMS law.

Section 1622.43 Class IV-D: Minister of Religion or Divinity Student.—

(a) In Class IV-D shall be placed any registrant:

CIVILIAN WORK IN LIEU OF INDUCTION
Selective Service System
Regulation 1660



1660.1 Definition of Appropriate Civilian Work.--(a) The types of employment which may be considered under the provisions of section 6 (j) of title 1 of the Universal Military Training and Service Act, as amended, to be civilian work contributing to the maintenance of the national health, safety, or interest, and appropriate to be performed in lieu of induction into the armed forces by registrants who have been classified in Class I-O shall be limited to the following:

(1) Employment by the United States Government, or by a State, Territory, or possession of the United States or by a political subdivision thereof, or by the District of Columbia.

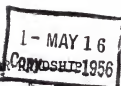
(2) Employment by a nonprofit organization, association, or corporation which is primarily engaged either in a charitable activity conducted for the benefit of the general public or in carrying out a program for the improvement of the public health or welfare, including educational and scientific activities in support thereof, when such activity or program is not principally for the benefit of the members of such organization, association, or corporation, or for increasing the membership thereof.

(b) Except as provided in subparagraph (2) of paragraph (a) of this section, work in private employment shall not be considered to be appropriate civilian work to be performed in lieu of induction into the armed forces by registrants who have been classified in Class I-O.

1660.10 Volunteering for Civilian Work.--Any registrant who is between the ages of 18 and 26 and who has been classified in Class I-O, or who claims eligibility for classification Class I-O, may volunteer at his local board for civilian work contributing to the maintenance of the national health, safety, or interest in lieu of induction. The local board shall promptly classify any such volunteer who claims eligibility for Class I-O. Each such volunteer who is in Class I-O and who has been found acceptable for service after his armed forces physical examination shall be processed in the same manner as a volunteer for induction except that, in lieu of induction, he shall be ordered by the local board to perform civilian work contributing to the maintenance of the national health, safety, or interest as defined in section 1660.1.

1660.20 Determination of Type of Civilian Work To Be Performed and Order by the Local Board to Perform Such Work.--(a) When a registrant in Class I-O is found acceptable for service after his armed forces physical examination or when such a registrant has failed to report for or to submit to armed forces physical examination, he shall, within ten days after notice of acceptability is mailed to him by the local board or within ten days after he has failed to report for or submit to armed forces physical examination, submit to the local board three types of civilian work contributing to the maintenance of the national health, safety, or interest as defined in section 1660.1, which he is qualified to do and which he offers to perform in lieu of induction into the armed forces. If the local board deems any one of these types of work to be appropriate, it will order the registrant to perform such work, but such order shall not be issued prior to the time that the registrant would have been ordered to report for induction if he had not been classified in Class I-O, unless he has volunteered for such work.

(b) If the registrant fails to submit to the local board types of work which he offers to perform, or if the local board finds that none of the types of work submitted by the registrant is appropriate, the local board shall submit to the registrant by letter three types of civilian work contributing to the maintenance of the national health, safety, or interest as defined in section 1660.1 which it deems appropriate for the registrant to perform in lieu of induction. The registrant, within ten days after such letter is mailed to him by the local board, shall file with the board a statement that he either offers to perform one of the types of work submitted by the board, or that he does not offer to perform any of such types of work. If the registrant offers to perform any one of the three types of work, he shall be ordered

ARMY RELEASEDISCHARGE OF ENLISTED PERSONNEL ON ACCOUNT OF DEPENDENCY OR

1. POLICY. The discharge of enlisted personnel on account of dependency or hardship ~~will be~~ granted upon request if evidence submitted clearly indicates that the soldier's discharge will contribute materially to the care or support of the individual's family, and will alleviate extreme and undue hardship. For the purpose of discharge on account of dependency or hardship, members of the family include the following only: husband, wife, children, father, mother, brothers, sisters, or any person who has stood in loco parentis to the enlisted person prior to entry into the service.

2. PROCEDURE. a. An enlisted person who feels that his case comes within the provisions of the above stated policy, and desires discharge, should submit his application to his immediate commanding officer, in affidavit form, showing reasons for dependency or hardship, accompanied by the evidence set forth in paragraph 3 below. An enlisted person temporarily in the United States from an overseas unit should submit his application to the commanding officer of the unit or installation in the United States to which he reports for processing in connection with his return to his overseas station.

b. WHEN SOLDIER IS OVERSEAS and evidence to support his application is not readily available to him, his family may submit the request for discharge, accompanied by the supporting evidence outlined in paragraph 3 below, to The Adjutant General, Department of the Army, Washington 25, D. C. A soldier will not be discharged for dependency or hardship contrary to his wishes.

3. EVIDENCE REQUIRED. The evidence required for dependency or hardship discharge is as follows:

a. Affidavits or statements from the soldier's dependents and at least two interested persons, either responsible individuals or agencies, having personal knowledge of the circumstances involved, showing that the soldier's presence at home is necessary for the care or support of members of his family. There should also be furnished the names, ages, occupations, and monthly incomes of members of the enlisted person's family, if any, living in the home or vicinity and reasons why these members cannot provide the necessary care or support of the family.

b. If dependency or hardship is the result of disability of a member of the enlisted person's family occurring after his entrance into the service, a physician's certificate should be furnished showing specifically when such disability occurred and the nature thereof.

c. If dependency or hardship is the result of the death of a member of the enlisted person's family occurring after his entrance into the service, a certificate or other valid proof of death should be furnished.

4. AMERICAN RED CROSS. If assistance is needed in preparing or assembling the necessary affidavits or other evidence required, it is suggested that the enlisted person's dependents, or individuals acting for the dependents, contact the local chapter of the American Red Cross. This action often serves to expedite consideration of the application.

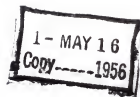
5. FINAL ACTION ON APPLICATION. a. When stationed in the United States: Final action in the approval or disapproval of an application for the discharge of an enlisted person stationed in the United States is taken by the commander in the field, without reference to the Department of the Army.

b. When stationed overseas: Final action in the approval of an application for the discharge of an enlisted person stationed overseas is taken by the overseas commander. Applications disapproved by the overseas commander are forwarded to the

COUNSELLING C.O.'S

by Robert Myers

(Revised February 9, 1955)



There is no doubt that advice is badly needed by most religious pacifists when they become involved in a struggle between conscience and the draft board. When a relative, or a close friend, or a member of your congregation comes to you for advice and guidance, how far can and should you go in helping him with his problem?

First of all, it is well to note that twenty-eight counsellors or advisors of religious objectors were convicted under the 1940 Selective Service Act, and at least three have been convicted under the present Act. The relevant section of the Selective Service Act now in effect (50 USCA App. Sec. 462a) reads as follows:

"Any...person...who knowingly counsels, aids, or abets another to refuse or evade registration or service in the armed forces or any of the requirements of this title...shall, upon conviction...be punished by imprisonment...or a fine...or by both such fine and imprisonment...."

Certainly it is proper to apprise the young man of the various provisions of the draft law and its attendant regulations, and to interpret and explain them to him. The same would go for armed forces regulations. It is proper to tell him what type of evidence and proof is important in presenting his case for conscientious objection to his draft board, and to help him gather that evidence. He can (and should) also be told the extent of his selective service remedies, his right to a personal appearance, and to appeal, etc. He also has the right to know the possible legal consequences of his acts and the penalties involved.

It is proper to indoctrinate the young man on the pacifist position of your church - to supply him with pacifist literature - to tell him that war is wrong and against God's will - to tell him you are a pacifist (if you are) and would refuse induction if drafted (if you would) - to tell him you will give him moral support. It is also proper to tell him to refuse induction at the induction station if his religious convictions lead him to refuse military service. It would also appear proper to tell him to stick to his convictions even though the going gets tough and to tell him not to let anyone coerce him into acting contrary to his conscience or religious convictions. But you should not tell him "Do not register," or "Do not allow yourself to be inducted," or "Do not go into military service." Such comments could bring on prosecution even though he did not heed your advice!

Especial care should be exercised in the choice of language when you write to a young man on the matter, lest it be misconstrued or misinterpreted. For example, the Supreme Court sustained the conviction of a Mr. Gara in 1950 (178 F2d 38, 340 US 857) when it was shown that Gara had openly and in writing counseled men not to register for the draft, and had told a young man named Rickert in front of arresting officers, "Do not let them coerce you into registering."

NOT FOR PUBLICATION

1- MAY 16
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Probationary Sentences for Conscientious Objectors

By J. B. Tietz

X-UB342

U5N3

The first effort is to try to secure a favorable judge. Assuming that a judge coming on in a month or two is more favorable than the one currently having the criminal calendar, it is obvious that a legitimate reason must be found to have the matter continued until the new judge takes over.

When the C.O. comes to you as a client and probation is your ultimate aim, there are two courses that can be followed: If the boy has some slight blemish in his record then it is well to consider the advantages of having a trial -- a trial during which you can parade a considerable number of character witnesses. The judge after hearing such a trial in almost every case believes he knows enough about the boy and does not wish to burden the probation officer with the necessity of making an investigation and a report. The other course is when you enter a plea of nolo contendere and ask for a probation report. In our jurisdiction the Court continues the matter of sentence for two weeks. It is immediately assigned to the probation officer and he immediately begins his investigation. Our probation officers welcome help from counsel. The kind of help I give them is as follows: I have already instructed the defendant to bring to me a number of letters, anywhere from three to a dozen, preferably on the letterheads of people such as ministers, or merchants. Letters from former teachers are very welcome. These letters should be addressed to whom it may Concern and these letters should point out the sincerity of the young man and should particularly stress such facts that would bring the probation officer to the conclusion that this particular defendant would be a good probation risk. What I mean by good probation risk is that this particular defendant will not cause him any trouble. In other words, he won't have to go look him up when the young man doesn't make a report and find him in some saloon. You may smile at this but this, of course, is one of the problems of the probation officer -- he has a big case load and he doesn't want to add to it by putting on people that will cause him trouble. Of course, you see the probation officer yourself and you give as much argument to the probation officer as you believe the situation justifies. You direct his attention to certain strong parts of the case. If the boy has a family, you want the probation officer to meet the mother and father. If he has a sweetheart, you, of course, have her see the probation officer and so on. When the day comes for the hearing on the probation officer's report and the sentence by the Court, you should ask to see the officer has covered. You do want to spend too much of your time on the things that the probation officer, for one reason or another, has not covered. One of the most important things in securing probation for a Selective Service defendant in my opinion is to have ready for him a job in work that you believe the Court will approve. Just to give you an illustration of this point, I have in my files letters which I have received in the last two or three months from about 14 or 16 hospitals, each of those hospitals saying it would welcome conscientious objectors as orderlies and as various other types of workers. Some of the letters are very urgent, that is they beg me to send them over -- they say that their problem has grown more acute. At least one of the letters is from a public hospital and it cautions that when the CO makes his application he should not mention religion or politics because theirs, in the words of the writer, is a non-political organization. The obvious thing is that they don't want to be in the position where some patrioteering organization can say that they are employing conscientious objectors. It is obvious, of course, that they want the COs very much.

1- MAY 16
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REFUSAL OF INDUCTION FOR CONSCIENCE SAKE

When a conscientious objector has exhausted all possible administrative procedures under the Universal Military Training and Service Act, including an appeal to the National Selective Service Appeal Board or a request to the National Director of Selective Service to grant such an appeal, and has still been denied I-O classification, what can he do?

Such a person can refuse to be inducted. He should be aware, however, that refusal of induction is a criminal offense, punishable by fine or imprisonment, or both. Any registrant contemplating such a step should know the Army Regulation on induction procedures, so that he may make his position known and take his stand at exactly the right time and place in order that his case may possibly receive later consideration by the court on the point of conscientious objection to military service. The possibility for judicial review of such a case on the ground of the registrant's claim as a conscientious objector is limited, but this limited possibility should not be jeopardized or foregone by a procedural error or a technical violation not involving an issue of conscience.

The Army Regulations on Induction included in SR 615-180-1 read as follows:

"23. Induction.--The following procedure will be followed in the induction of all registrants into the Armed Forces.

"a. Registrants who have been determined to be fully qualified for induction in all respects will be assembled. The inducting officer will inform them of the imminence of induction, quoting the following: 'You are about to be inducted into the Armed Services of the United States, in the Army, the Navy, or the Air Force, as indicated by the service announced following your name when called. You will take one step forward as your name and service are called and such step will constitute your induction into the Armed Service indicated.'

"b. An officer then will call the roll and the foregoing procedure will be carried out. All who have stepped forward will be informed that each and every one of them is a member of the armed service concerned, using the language exactly quoted: 'You have now been inducted into the Armed Service of the United States indicated when your name was called. Each one of you is now a member of the Armed Services concerned and amenable to the regulations and the Uniform Code of Military Justice and all other applicable laws and regulations.'

"c. Any registrant who fails or refuses to step forward when his name is called will be removed quietly and courteously from the presence of the groups about to be inducted and processed as prescribed in paragraph 27.

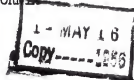
"24. Oath of allegiance ceremony.--The oath of allegiance is not a part of induction. Registrants who have been inducted will be informed that the taking of the ceremonial oath of allegiance is not a part of induction. The oath will be administered by the service to which assigned as soon after the induction as practicable...

"27. Processing registrants in special categories.--b. Registrants who refuse to submit to induction.--Any registrant removed from the group as prescribed in paragraph 23, and who persists in his refusal to submit to induction, will be informed that such refusal constitutes a felony under

X-UB 347.05 N3 #50

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF FRESNO



In re:

Petition of OTTO JOST

No. 10749

Dept. 6

M E M O R A N D U M

Petitioner has stated under oath, unequivocally, that he can and will take the oath prescribed and required by law as provided by Section 337 of the Immigration and Nationality Act, including Subdivision 5-C thereof, without any mental reservation. (See Page 14, Line 17 of the Reporter's Transcript).

In substance, the testimony in this case shows that the Petitioner is a Conscientious Objector, based on his religious beliefs. He cannot bear arms or do any other act which has for its immediate purpose the taking of a human life.

It is the opinion of this Court that under the decision and reasoning of the Court in the major opinion thereof (Girouard v. U. S., 328 U.S. 61), the petition of Otto Jost should be granted, if he otherwise qualifies under the Naturalization Act.

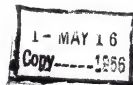
Questions propounded by the Government and by the Court itself on the point of whether or not the Petitioner would perform work in a munitions factory were not pertinent, except to show the mental attitude or the belief of the petitioner. It is the view of the Court that the Government has no right to attempt to read something into this statute which is not, in fact, there, or to attempt to interpret it and base a denial of a Petitioner's petition upon an answer thereto which is contrary to what the Government felt the answer should be. The Court is convinced that Otto Jost is attached to the principles of the United States Constitution, and that this Court has no right to say that his religious beliefs must yield in order for him to become a citizen of the United States.

The petition is set for further hearing in this Court on December 23rd, 1955, at 2:00 o'clock P. M.

 EDWARD L. KELLAS

 Judge of the Superior Court

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT



In the Matter of:

THEODORE ERNEST ALEXANDER LEIDENFROST, Petitioner

Friday, November 18, 1955

Before

HONORABLE J. JOSEPH SMITH, District Judge

(Decision of Court)

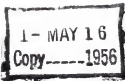
Benjamin R. Sanders
Official Reporter

The history of the adoption of the Act in question here which prescribed the form of oath as it appears in the legislative history appears to the Court to look in the direction of admission of a conscientious objector such as the petitioner who, if the Court understands the evidence correctly, is willing to take the oath without reservation in the third form on his interpretation of the law as it is at present administered as being the proper meaning of the statute, that is the Draft Act, as requiring non-military work under civilian direction, work of national importance.

The House report on the bill which eventually became the McCarran Act indicates that the Congress intended to adopt the policy of the Girouard Case which had overruled the old McIntosh Case and those which had followed it. That appears to have laid at rest the objections of the minority in the Girouard Case that the Congress had never agreed to the change in the law which the minority felt was made from the McIntosh decision by the Girouard Case.

When the McCarran-Walter Act was adopted, the House report had referred specifically to the Girouard Case as the law which was being implemented by this part of the Act, and later in the Statement of the managers on the part of the House in the conference report it was stated that the conferees had agreed to provide for a naturalization oath similar to that contained in the House version which would not violate bona fide religious convictions if such convictions are properly proved to the Naturalization Court in accordance with standards set up in the Selective Service Act of 1948 as amended and incorporated in this legislation.

National Headquarters
Selective Service System
451 Indiana Avenue Northwest
Washington 25, D. C.



April 1, 1955

OPERATIONS BULLETIN NO. 123

SUBJECT: PROCESSING OF CERTAIN CONSCIENTIOUS OBJECTOR CASES WHICH ARE AFFECTED
BY RECENT SUPREME COURT DECISIONS

1. On March 14, 1955, in deciding cases involving the denial of claims of conscientious objection, the Supreme Court of the United States held (a) that a claim of conscientious objection is not defeated solely because a registrant is willing to participate in a spiritual war or to use force in self-defense or in defense of his ministry, Kingdom interests, and fellow brethren; (b) that upon referral of a claim of conscientious objection to the Department of Justice for its recommendation, the Department must furnish the registrant with a fair summary of adverse information in the Federal Bureau of Investigation report; and (c) that when the Department makes its recommendation to the appeal board, a copy must also be furnished to the registrant, and he must be afforded an opportunity to reply to the appeal board. These rulings by the Supreme Court must be applied immediately to all appropriate cases.

2. No appeals, involving claims of conscientious objection which have been referred to the Department of Justice, shall be decided by any appeal board until the registrant has been furnished a copy of the recommendation of the Department of Justice and afforded an opportunity to file a reply in writing with the appeal board. In each such case which is now pending at an appeal board or is hereafter returned to an appeal board by the Department of Justice, the appeal board shall mail to the registrant a copy of the recommendation of the Department of Justice enclosed with a letter informing the registrant that, within thirty days after the date of such mailing, he may file a written reply with the appeal board concerning the recommendation of the Department. A copy of the letter shall be placed in the registrant's cover sheet. The recommendation of the Department of Justice is forwarded to the appeal board in an original and one copy. The copy should be mailed to the registrant. No such case shall be decided by an appeal board until the reply of the registrant has been received or the thirty-day period afforded the registrant to make such reply has expired, whichever occurs first. In making its decision, the appeal board shall consider any reply received from the registrant.

3. (a) In the cases of many registrants whose cover sheets are now at local boards, claims of conscientious objection have already been denied by appeal boards or the President after referrals to the Department of Justice but the registrants have not had an opportunity under the new required procedure to file written replies to the recommendations of the Department of Justice with the appeal boards before the decision of their cases. It is necessary that such cases be reopened by the local boards and the classifications considered anew.

(b) Under the provisions of section 1625.3 (a) of the Selective Service Regulations, local boards are requested to reopen and consider anew the classification (1) of every registrant presently in Class I-A whose case involves a claim of

DEPARTMENT OF THE NAVY
Bureau of Naval Personnel
Washington 25, D.C.

BUPERS 1616.1A
in reply refer to

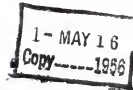
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7 November 1955

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BUPERS INSTRUCTION 1616.1A

From: Chief of Naval Personnel
To: Commandants All Naval Districts
Potomac River Naval Command
Chief of Naval Air Reserve Training



Subj: Enlisted conscientious objectors in the Naval Reserve-
Disposition of

1. Purpose. To promulgate instruction regarding the disposition to be made of enlisted members of the Naval Reserve who claim a conscientious objection to participation in war.

2. Cancellation. BUPERSINST 1616.1 of 23 September 1952 is hereby cancelled.

3. Procedure. Those enlisted Naval Reservists ordered to active duty who claim to be conscientious objectors will be processed as follows:

a. Grant a delay in call to active duty pending decision by the Chief of Naval Personnel.

b. Require the reservist to submit a request in writing setting forth his reasons for requesting delay from call to active duty, and specifying the date on which he became a conscientious objector.

c. Such a request should include as an enclosure a certification from the church he alleges to be a member of and the tenets of the church as regards military service and participation in combatant and noncombatant duties.

d. That where practicable, the individual be interviewed by a line officer of the Navy of experience and maturity as well as a Chaplain of the Navy with a view to their expressing an opinion as to the sincerity of the man in his claims regarding his religious beliefs and convictions.

e. Ascertain from the State Director the individual's current Selective Service Classification.

f. Forward the request to the Chief of Naval Personnel via official channels with attendant papers and appropriate comments from those commands through which correspondence is routed. The Chief of Naval Personnel will decide each case on its merits and direct appropriate disposition.

4. Action. In those cases where retention of a conscientious objector is directed by the Chief of Naval Personnel, make entry on page 13 of the service record indicating limited duty designator "(L-8) Conscientious Objector - To be assigned to noncombatant service as defined in Executive Order No. 10028 of 13 January 1949." Instructions contained in Article C-5210(2), (3) and (4), Bureau of Naval Personnel Manual, will be followed when L-8 designator is assigned conscientious objectors.

/s/ M.E. ARNOLD
Deputy Chief of Naval Personnel

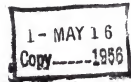
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DEPARTMENT OF THE NAVY
Bureau of Naval Personnel
Washington 25, D.C.

BUERS 1616.2A
Pers-B2-neb
9 November 1955

BUERS INSTRUCTION 1616.2A

From: Chief of Naval Personnel
To: All Ships and Stations



Subj: Conscientious objectors; disposition of

Ref: (a) BUPERSINST 1616.1A (NOTAL) (Subj: Enlisted conscientious objectors in the Naval Reserve -- disposition of)

1. Purpose. This instruction sets forth the procedure regarding the disposition to be made of individuals on active duty in the Navy who claim a conscientious objection to participation in war.

2. Cancellation. BUPERS Instruction 1616.2 of 16 February 1953 is hereby canceled.

3. Procedure. The procedure for disposition of conscientious objectors will be as follows:

a. Enlisted Men Classified by Selective Service System as I-A-0:

(1) Individuals inducted into the Navy who have previously been classified as I-A-0 by local induction boards should be assigned to noncombatant service, which in accordance with the President's Executive Order No. 10028 of 13 January 1949 is defined as:

"(a) Service in any unit of the armed forces which is unarmed at all times;

"(b) Service in the medical department of any of the armed forces, wherever performed; or

"(c) Any other assignment the primary function of which does not require the use of arms in combat; provide that such other assignment is acceptable to the individual concerned and does not require him to bear arms in combat or to be trained in their use.

"The term 'noncombatant training' shall mean any training which is not concerned with the study, use, or handling of arms or weapons."

(2) Such men, upon induction into the Navy, shall be transferred to a naval training center for recruit training and shall be subject to all regular training, except the portions thereof specifically excepted by Executive Order No. 10028 quoted in a (1) above. Thereafter, upon completion of recruit training, they shall be transferred to the Hospital Corps for further training, provided they meet the requirements therefor. Such men, because of assignment to medical units, will not be allowed to avoid the important or hazardous duties which are the responsibility of all members of the medical organization. Any man who does not meet the requirements for this training, or who fails to complete training will be retained in the naval service and employed in noncombatant duties.

b. Enlisted Men Who Claim To Be Conscientious Objectors and State That They Were so Classified by Their Local Board but Their Records Do Not so Indicate:

(1) The commanding officer shall obtain a statement from the individual concerned and refer the case to the Chief of Naval Personnel for investigation and

"Tools of Peace" Series

X-UB342

**Positions of
Conscientious
Objectors**

.U5N3

#36

A symposium by

Cecil B. Currey

David Kinsey

Stephen W. Simon

1 - MAY 16

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With an introduction by

J. Barton Harrison

Issued for study and discussion

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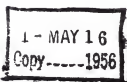
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STATEMENT OF PURPOSE

National Service Board for Religious Objectors

Adopted by the Board of Directors

.. January 27, 1956



The National Service Board for Religious Objectors is a service agency for individual conscientious objectors and churches and organizations interested in conscientious objectors. NSBRO does not itself advocate any particular expression of conscientious objection, but it attempts to represent faithfully the concerns of each of the constituent groups and individual conscientious objectors desiring its services.

The Board of Directors of NSBRO is the policy determining body. It is self constituted by representatives of agencies who are interested in cooperating with the objectives and services of NSBRO and who are willing to accept moral and financial responsibility for its program, plus any individuals whom the Board of Directors desires to add to its membership. The Board acts only by common agreement of its members.

The Consultative Council to NSBRO is made up of religious groups desiring to affiliate and whose application is approved by the Board. Members of the Consultative Council are supplied information on current issues and meet occasionally at the call of the Board to share concerns and problems and to make recommendations to the Board.

NSBRO maintains an office and staff in Washington to follow developments of concern to conscientious objectors, to keep constituent groups informed of developments, to represent groups requesting its services, to counsel and aid individual conscientious objectors and to uphold the right of the individual to exercise his freedom of conscience.

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1 - MAY 16
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DETAILS OF "DOCTORS' DRAFT" AFFECTING CONSCIENTIOUS OBJECTORS

Men in the United States may be subject to draft under: (1) The "regular registrants' draft" -- (Sections 3, 4(a) and 4(b) of the Universal Military Training and Service (UMTS) Act) -- which affects all males from their 18th birthday to their 26th (and under some conditions to their 35th birthday), and calls for 24 months of military or civilian draft service. (2) The "special registrants' draft" -- commonly known as the "doctors' draft" (Section 4(1) of the UMTS Act) -- applies to medical, dental, and allied specialist personnel conferring liability for induction up to the 46th birthday, and liability for registration to the 50th birthday, and calls for periods of up to 24 months of military or civilian draft service. The special registrants' draft was extended in 1955 to July 1, 1957. The regular registrants' draft was extended to July 1, 1959.

This report describes in some detail those doctors' draft provisions and procedures which will be of particular interest to CO special registrants. It is based on the language in the law, congressional reports, Presidential proclamations, and pertinent Selective Service regulations and administrative instructions. While generally applicable to other special registrants as well, the report does not deal with commissions, reserve status, and other primarily military matters on which data are readily obtainable elsewhere.

This release was prepared by the CO Services Program of the American Friends Service Committee, January, 1956. Acknowledgment is made of the excellent service rendered by the AFSC in preparing this release. Reproduction, with slight revisions, is by permission.

C O N T E N T S

	<u>Page</u>
A. Summary of major steps in special registrants' draft	1
B. Special registration	1
C. Classification	3
D. Priority ranking	5
E. Appeal of classification and priority ranking	7
F. Physical examination	8
G. Selection and induction	9
H. Types of draft service	10
I. Release from draft service	11

SELECTIVE SERVICE SYSTEM

Form approved.
Budget Bureau No. 35-R128.ORDER TO REPORT FOR CIVILIAN WORK
AND STATEMENT OF EMPLOYER

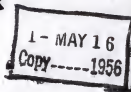
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(LOCAL BOARD STAMP)



SAMPLE COPY



(Date of mailing)

To _____
(First name) (Middle name) (Last name)

--	--	--	--

(Selective Service Number)

Mailing address _____
(Street and number) (City) (Zone) (State)

Having been found to be acceptable for civilian work contributing to the maintenance of the national health, safety, or interest you have been assigned to _____ located at _____

You are ordered to report to the local board named above at _____ m. on the _____ day of _____, 195____, where you will be given instructions to proceed to the place of employment.

You are ordered to report for employment pursuant to the instructions of the local board, to remain in employment for twenty-four (24) consecutive months or until such time as you are released or transferred by proper authority.

You will be instructed as to your duties at the place of employment.

Failure to report at the hour and on the day named in this order, or to proceed to the place of employment pursuant to instructions, or to remain in this employment the specified time will constitute a violation of the Universal Military Training and Service Act, as amended, which is punishable by fine or imprisonment or both.

(Clerk or Member of the Local Board)

STATEMENT OF EMPLOYER

The registrant identified above reported for civilian work on the _____ day of _____, 195____, to

Name of Employer _____

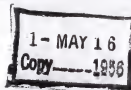
Address of Employer _____
(Street and number) (City) (Zone) (State)_____
(Signature of employee or agent)_____
(Title)

SAMPLE COPY

X-UB342.05N3#39

SELECTIVE SERVICE SYSTEM

APPROVAL
NOT REQUIRED



CERTIFICATE OF RELEASE FROM CIVILIAN WORK

This will certify that

X-UB342

.U5N3

SELECTIVE SERVICE NO.

(First name)

(Middle name)

(Last name)

has been released from the performance of civilian work contributing to the maintenance of the national health, safety, or interest under the Universal Military Training and Service Act, as amended, effective _____ for the following reason (s):

(Date)

WORKED AT

FROM

(Date)

(Date)

WORKED AT

FROM

(Date)

TO

(Date)

WORKED AT

FROM

(Date)

TO

(Date)

CERTIFIED

(Member or clerk of Local Board)

(Title)

(Date)

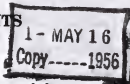
(Place)

Lewis B. Hensley,

Director of Selective Service.

(Local Board Stamp)

X-UB342.U5N3#10

SELECTIVE SERVICE SYSTEM
SPECIAL REPORT FOR CLASS I-O REGISTRANTS

X-UB342
.U5N3

(Local Board Stamp)



Form to be returned on or before _____

Date of mailing _____

Date received back at local board _____

SAMPLE COPY

To _____
(Last name) (First name) (Middle name) (Selective Service Number)Mailing address _____
(Street and number) (City, town, or village) (Zone) (State)

TO CLASS I-O REGISTRANTS:

A registrant placed in Class I-O who has received his Certificate of Acceptability (DD Form 62) or who failed to report for or submit to Armed Forces physical examination shall, in accordance with Selective Service Regulations prescribed by the President, be ordered by his local board to perform for a period of twenty-four (24) consecutive months such civilian work contributing to the maintenance of the national health, safety, or interest as the local board may deem appropriate.

The Selective Service Regulations require you to submit to your local board, within ten (10) days after a Certificate of Acceptability (DD Form 62) is mailed to you or within ten (10) days after you have failed to report for or submit to an Armed Forces physical examination, three (3) types of approved civilian work which you are qualified to perform and which you offer to perform in lieu of induction into the Armed Forces. A list of the types of approved civilian work is on file in local board offices. The types of work you offer to perform, your prior work experience, and your other pertinent qualifications should be set forth under the appropriate items of this form.

If you fail to submit to the local board the types of work which you offer to perform, or if the local board finds that none of the types of work submitted by you has been approved, or is appropriate, it will submit to you by letter three (3) types of approved work which it deems appropriate for you to perform. Within ten (10) days after such letter has been mailed to you by the local board, you shall file with the local board a written statement signifying acceptance or rejection of any or all of the types of work submitted. If any types are acceptable to you the local board will order you to perform one of the types of work which you have offered to perform. If you do not offer to perform any of the types of work submitted by the local board, a meeting will be held at a time and place of which you will be mailed notice and at which you will have an opportunity to reach an agreement with the local board as to the type of work which you will perform. If no agreement can be reached at such meeting the local board, after approval by the Director of Selective Service, will order you to perform such work as is deemed appropriate by the local board.

In no case will you be required to perform work until you have been mailed an Order to Report for Civilian Work and Statement of Employer (SSS Form No. 153). This order will allow you a minimum of ten (10) days after the date on which it is mailed to you to report for work. However, your local board will not order you to work prior to the time you would have been ordered to report for induction if you had not been classified in Class I-O unless you file with the local board an Application of Volunteer for Civilian Work (SSS Form No. 151) which establishes that you desire to be ordered to work as soon as possible without regard to your normal order of selection.

By submitting a choice of employment you have an opportunity to select the type of work you will be more interested in and perhaps best qualified to do. There may be opportunities for performing approved types of work with nonprofit organizations, associations, or corporations or with local, State, or Federal governmental agencies. If you are qualified for positions that require special skills, training, technical knowledge, or professional education and experience, you should list any additional information that will be of assistance to the employer in assigning you to work that can utilize your highest level of aptitude and skill.

In the event you have applied to one of the approved employers for work and have a definite answer to your application, you should show this in Series II on the form. The local board cannot secure special skilled positions for you. However, it will be the policy of the Selective Service System whenever possible to order you to civilian work which will most fully utilize your experience, education and training.

The Universal Military Training and Service Act, as amended, provides that any person who knowingly fails or neglects to obey an order from his local board to perform civilian work, as required by section 6 (j) thereof, shall be deemed to have violated the provisions of the Universal Military Training and Service Act, as amended, and shall be subject to the punishment provided by that act.

X-UB 342. U5N3 #41

1 - MAY 16
Copy 1956

Form approved,
Budget Bureau No. 33-R127.

SELECTIVE SERVICE SYSTEM

APPLICATION OF VOLUNTEER FOR CIVILIAN WORK
SAMPLE COPY



[Stamp area for local board of jurisdiction]

(Stamp of the local board of jurisdiction as determined by Item 2 of the Registration Card (SSS Form No. 1))

[Stamp area for local board of jurisdiction]

(Stamp of local board at which application is filed if other than local board of jurisdiction)

I hereby volunteer for civilian work contributing to the maintenance of the national health, safety or interest and request that I be ordered to perform this work under the provisions of the Universal Military Training and Service Act, as amended, and the rules and regulations prescribed thereunder. For this purpose, I waive all rights of personal appearance and appeal if I am classified as available for such civilian work, and I consent to my being ordered to perform this work at any time convenient to the Government.

My Selective Service number is []

My Local Board is No. _____ at _____
(City, town or county, and State)

I was born _____
(Month) (Day) (Year)

My mailing address is _____
(Number and street or R. F. D. route)

(City, town, or village) (Zone) (County) (State)

(Signature of registrant)

(Date of application)

Instructions: Prepare in duplicate, the original for filing in the Cover Sheet (SSS Form No. 101), the duplicate for delivery to the registrant.



SELECTIVE SERVICE SYSTEM

Form approved.
Budget Bureau No. 33 R-1152.

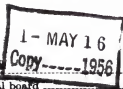
SPECIAL FORM FOR CONSCIENTIOUS OBJECTOR

Selective Service No.

--	--	--	--

Date of mailing

Date received back at local board



Name

(Last)

(First)

(Middle)

Address

(Number and street or R. F. D. route)

(City, town, or village)

(County)

(State)

(LOCAL BOARD STAMP)

This form must be returned on or before

(Five days after date of mailing or issue)

INSTRUCTIONS

A registrant who claims to be a conscientious objector shall offer information in substantiation of his claim on this special form, which when filed shall become a part of his Classification Questionnaire (SSS Form No. 100).

The questions in Series II through V in this form are intended to obtain evidence of the genuineness of the claim made in Series I, and the answers given by the registrant shall be for the information of only the officials duly authorized under the regulations to examine them.

In the case of any registrant who claims to be a conscientious objector, the local board shall proceed in the prescribed manner to determine his proper classification. The procedure for appeal from a decision of the local board on a claim of conscientious objection is provided for in the Selective Service Regulations.

Failure by the registrant to file this special form on or before the date indicated above may be regarded as a waiver by the registrant of his claim as a conscientious objector; *Provided*, that the local board, in its discretion, and for good cause shown by the registrant, may grant a reasonable extension of time for filing this special form.

Series I.—CLAIM FOR EXEMPTION

INSTRUCTIONS.—The registrant must sign his name to either statement A or statement B in this series but not to both of them. The registrant should strike out the statement in this series which he does not sign.

(A) I am, by reason of my religious training and belief, conscientiously opposed to participation in war in any form. I, therefore, claim exemption from combatant training and service in the Armed Forces.

(Signature of registrant)

(B) I am, by reason of my religious training and belief, conscientiously opposed to participation in war in any form and I am further conscientiously opposed to participation in noncombatant training and service in the Armed Forces. I, therefore, claim exemption from both combatant and noncombatant training and service in the Armed Forces.

(Signature of registrant)

Under the provisions of section 6 (j) of the Universal Military Training and Service Act, as amended, any person who claims exemption from combatant training and service in the Armed Forces of the United States because he is, by reason of religious training and belief, conscientiously opposed to participation in war in any form and such claim is sustained by the local board, shall, if he is inducted into the Armed Forces, be assigned to noncombatant service as defined by the President, or shall, if found to be conscientiously opposed to participation in such noncombatant service, in lieu of induction, be ordered by his local board, subject to regulations prescribed by the President, to perform for a period of twenty-four consecutive months such civilian work contributing to the maintenance of the national health, safety, or interest as the local board deems appropriate, and any such person who fails or neglects to obey such order of the local board shall be subject to imprisonment for not more than five years or a fine of not more than \$10,000, or to both such fine and imprisonment.

Series II.—RELIGIOUS TRAINING AND BELIEFS

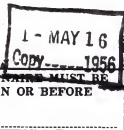
INSTRUCTIONS.—Every question in this series must be fully answered. If more space is necessary, attach extra sheets of paper to this page.

1. Do you believe in a Supreme Being? Yes ☐ No ☐

2. Describe the nature of your belief which is the basis of your claim made in Series I above, and state whether or not your belief in a Supreme Being involves duties which to you are superior to those arising from any human relation.

SELECTIVE SERVICE SYSTEM

CLASSIFICATION QUESTIONNAIRE



X-UB342
.U5N3



THIS QUESTIONNAIRE MUST BE
RETURNED ON OR BEFORE

(Local Board Stamp)

Date of mailing _____

Date received back at local board _____

SAMPLE COPY

1. Name of Registrant			2. Selective Service No.		3. Date of birth	
(Last)	(First)	(Middle)			(Month)	(Day) (Year)
4. Mailing address						
(Number and street or R. F. D. route)			(City, town, or village)	(Zone)	(County)	(State)

NOTICE TO REGISTRANT

YOU ARE REQUIRED BY THE SELECTIVE SERVICE REGULATIONS TO FILL OUT THIS QUESTIONNAIRE TRUTHFULLY AND RETURN IT TO THIS LOCAL BOARD ON OR BEFORE THE DATE SHOWN IN THE OUTLINED BLOCK TO THE RIGHT ABOVE. WILLFUL FAILURE TO DO SO IS PUNISHABLE BY FINE AND IMPRISONMENT. AN ENTRY MUST APPEAR IN EVERY SERIES. WHEN THE QUESTIONS IN A GIVEN SERIES DO NOT APPLY TO YOU, ENTER "NONE," OR ENTER "DOES NOT APPLY" ACROSS THE SPACE.

FILL OUT THIS FORM ON TYPEWRITER, OR PRINT IN INK.

Clerk or Member of Local Board.

(All of the above items, except the date received back at local board are to be filled in by the local board clerk before the questionnaire is mailed to the registrant.)

INSTRUCTIONS TO REGISTRANT

1. This questionnaire is intended to furnish your local board with information to enable it to classify you. The local board will mail you a notice of your classification.
2. You are required to sign the certificate on page 7. If another person assists you in completing this questionnaire, the person assisting is required to complete the statement following your certificate. Imprisonment for not more than five years or a fine of not more than \$10,000, or both such fine and imprisonment, is provided by law as a penalty for knowingly making, or being a party to the making, of any false statement or certificate regarding or bearing upon a classification.
3. If you are an inmate of an institution and are unable to complete this questionnaire the executive head of such institution should communicate that fact immediately to your local board. The questionnaire should be completed upon your release.
4. Make no alterations in the printed matter in this questionnaire.
5. All spaces in Series I, V, VII, VIII, X, XII, XIII, and XIV, must be completed insofar as they pertain to you. When the questions in the other series do not apply to you, enter "None" or enter "Does Not Apply."
6. If you furnish additional information or affidavits, insert those within the questionnaire.
7. If you are now on active duty with the Armed Forces, execute only Series I and II of the questionnaire and return it to your local board.
8. After this questionnaire has been returned, report to your local board at once any change of address, any change in marital or dependency status, any change in place of employment or occupation, or any other new fact which may affect your classification.

SSS Form No. 100 (Revised 10-7-53) Supplies of previous printings shall be used until exhausted.

X-UB 342.U5N3 #44

X-UB 342.05N3 #45

Approval of Budget Bureau not required.

SELECTIVE SERVICE SYSTEM

Order to Report for
Armed Forces Physical Examination



(LOCAL BOARD STAMP)

1 - MAY 16
Copy-----1956

SAMPLE COPY

(Date of mailing)

--	--	--	--

To _____
(First name) (Middle name) (Last name) (Selective Service Number)

(Street and number)

(City) (State)

You are hereby directed to report for Armed Forces Physical Examination to the Local Board named above at:

(Place of reporting)

at _____ m., on the _____ of _____, 19____
(Hour of reporting) (Day) (Month)

(Member or clerk of Local Board)

IMPORTANT NOTICE

TO ALL REGISTRANTS:

When you report for Armed Forces Physical Examination you will be forwarded to an Armed Forces Examining Station where you will be given a complete physical examination to determine whether you are physically qualified for service. Upon completion of your physical examination, you will be returned to this Local Board. You will be furnished transportation and meals and lodging when necessary. Following your Armed Forces Physical Examination your Local Board will mail you a certificate issued by the commanding officer of the station showing whether or not you are acceptable for service.

If you are employed, you should advise your employer of this order and inform him that the examination is merely to determine your acceptability for service. It is not an order to report for induction or an order to perform civilian work.

If you are so far from your own Local Board that reporting in compliance with this order will be a hardship and you desire to report to the Local Board in the area in which you are now located, take this Order and go immediately to that Local Board and make written request for transfer for Armed Forces Physical Examination.

TO CLASS I-A AND I-A-O REGISTRANTS:

If you fail to report for Armed Forces Physical Examination as directed, you will be delinquent and will be immediately ordered to report for induction into the Armed Forces. You will also be subject to fine and imprisonment under the provisions of the Universal Military Training and Service Act, as amended.

TO CLASS I-O REGISTRANTS:

The Armed Forces Physical Examination is given for the purpose of determining your acceptability for service. If you are found acceptable, you will be available, in lieu of induction, to be ordered to perform civilian work contributing to the maintenance of the national health, safety or interest. If you fail to report for or to submit to the Armed Forces Physical Examination, you will be deemed to be available to be ordered to perform civilian work in the same manner as if you had taken the Armed Forces Physical Examination and had been found acceptable.

BRIEF

1 - MAY 16
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Exemption of Conscientious Objectors from R.O.T.C. at
West Virginia University and Potomac State College

X-UB342

.U5N3

X-UB 342 .U5N3 #46

I. THE PROBLEM

In the state of West Virginia a problem arises when certain Conscientious Objectors seek to enroll as first and second year students in West Virginia University and Potomac State College because of existing rules concerning participation in R.O.T.C. This problem is accentuated when these students, by reason of religious training and belief, object to participation in any form of military training or service. Since September, 1953, this problem has been focused in at least two known cases, namely, Thomas Rotruck and John Miller. Both of these young men are noteworthy students, having high scholastic rating. Mr. Rotruck has been awarded a literary scholarship to Potomac State College and Mr. Miller was among those receiving top scores in the psychology entrance examination at Potomac State. Both young men sought to enter Potomac State College because of its proximity to their homes and the difference in cost if they were to attend the college of their second choice. The sole reason for their withdrawal and/or dismissal from Potomac State College was their unwillingness, as Conscientious Objectors, to participate in R.O.T.C. Basically, this problem stems from the conflict between religious training (both these young men are Christians who were taught that the New Testament teaches that to kill and to train for killing are forbidden by Christ) and the rules of a tax-supported institution. This conflict is unnecessary in a nation where "the free exercise of religion" is a recognized right.

II. THE CASE FOR EXEMPTION OF CONSCIENTIOUS OBJECTORS FROM R.O.T.C.

A. It is a legal privilege.

1. The Morrill Act

The basic legal enactment of Congress which established the Land Grant Colleges and the subsequent R.O.T.C. movement is the Morrill Act. The relevant section is quoted: (U. S. Statutes at Large 12 36-37th Congress, Chap. CXXX, P. 503)

P. 504. "Sec. 4. And be it further enacted, that....at least one College where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life."

The "military tactics" clause of this act was interpreted as follows:

"The Secretary of the Interior is justified in considering that an agricultural college which offers a proper, substantial course in military tactics complies sufficiently with the requirements as to military tactics, even though the students at that institution are not compelled to take that course." 1930, 36 Op. Attorney General.

1 - MAY 16

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HOW CAN ONE BE RELIGIOUS?

A Problem of Recognition for Conscientious Objectors to War

The conscientious objector to war, as the draft law impliedly defines him,¹ is a person "who, by reason of religious training and belief, is conscientiously opposed to participation in war in any form." The definition clearly excludes the C. O. whose stand on war arises solely out of "political, sociological or philosophical views" or "a merely personal moral code." The provisions of the draft law which afford relief from general military obligations on account of scruples against war intend, therefore, that only the religious C. O. shall enjoy that relief.

How does one show that he is religious within the meaning of the draft law? How, indeed, can one be religious, in view of many administrative decisions regarding C. O.'s? These questions have arisen in Northern California primarily out of more than a dozen appeals by C. O.'s for recognition as such by Selective Service and the Department of Justice. Developments elsewhere in the United States have raised the question, but draft appeals in Northern California have raised it with extraordinary frequency.

Typical Cases: Two Presbyterians

Consider, for instance, the appeal of a young church musician. Throughout a long period prior to his appeal he showed a pronounced interest in the church and church music. By the time he appealed he had decided to enter seminary. Today he is in seminary. The report of the hearing officer who examined him reads as follows, insofar as it bears on the question of whether the young musician's stand was, on the one hand, religious or, on the other, political, sociological, philosophical or moral.²

" * * * He was reared in the Presbyterian faith. Members of the Presbyterian Church claimed that he was devout and attentive in his religious practices * * * ."

It is important to interpolate at this point that these Presbyterians included one of the most widely-known and highly-regarded ministers in Northern California and one of the top administrative officers in Northern California's Presbyterian headquarters. The report goes on:

"The registrant personally appeared /and/ * * * claimed that he could not participate in war * * * for the reason that he was opposed to killing and that his religious conviction extends so far that he would allow a criminal to kill him rather than kill the assailant, * * * His ambition is to * * * engage in work as a church musician, * * * He apparently is quite attentive in his church duties."

This evidence, the young musician's statements in his draft questionnaire that he believed in a Supreme Being and that his opposition to war was religious, the testimony of prominent fellow-churchmen that his stand was religious -- all this, certainly in the absence of evidence to the contrary, normally would lead one to expect that the hearing officer would have found the young musician's stand religious. Not so. The hearing officer concluded that the young musician's opposition "is the result of his moral philosophy rather than religious convictions." The hearing officer recited no evidence to substantiate this conclusion. He recited no evidence to refute the testimony that the C. O. was religious rather than simply

X-UB342-0543 #47

information release

NSERO LITERATURE

ORDER BLANK

1 - MAY 16

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Instructions: Indicate number of copies desired in the blank to the left of each item. (Postage and handling are included in the cost of all items; special bulk rates are available.)

GENERAL INFORMATION

- (*) 0. NSERO Literature Order Blank
- (*) 1. NSERO Statement of Purpose
- (5#) 2. Central Committee of World Council of Churches Revised Resolution on COs
- (5#) 3. Brief History of Aliens and Military Service
- (5#) 4. Loyalty Oaths - For state employees in Calif., Md., Okla., and Penna.
- (5#) 5. Conscientious Objectors in Europe - Excerpts from a report by Dr. Guy F. Hershberger, Professor at Goshen College, Goshen, Indiana
- (5#) 6. Status of Conscientious Objectors in France - John Howard Yoder
- (5#) 7. Analysis of Information on Legal Recognition of COs throughout the World
- (20#) 8. Recognition of Conscientious Objectors in ROTC Programs in Land Grant Colleges and Universities - A study made by Reverend Norman Harsh and Reverend Fred Bowman, ministers in the Church of the Brethren.
- (10#) 9. Exemption of COs from ROTC at W. Va. University and Potomac State College - A brief presented to W. Va. state officials
- (*) 10. Positions of COs - describes I-A-O, I-O, and non-registrant positions
- (*) 11. How Can One Be Religious? - Problems of draft laws narrow interpretation of religion
- (*) 12. Brochure on COs for Armed Forces Chaplains
- (5#) 13. Experience of Conscientious Objectors under the Immigration and Nationality Act of 1952

COURT CASES

- (*) 14. List of Court Cases - includes important CO cases of recent years
- (5#) 15. Petition for Naturalization of Leidenfrost - naturalization case allowing citizenship to CO who refuses to do defense work. (decision of the court)
- (5#) 16. Petition of Otto Jost - similar to above case

Please send one copy of each publication listed on this blank, i.e. numbers 1 through 51.

SEND LITERATURE TO:

Exchange and Gift Division

Amount

Library of Congress

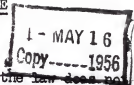
Remitted \$

Washington 25, D. C.

RETURN THIS BLANK TO: National Service Board for Religious Objectors
401 3rd. Street, N.W., Room 403,
Washington 1, D.C.

PRESENT STATUS OF CONSCIENTIOUS OBJECTION IN FRANCE

by John Howard Yoder



Legally, the position of the objector in France remains the same; the law does not recognize his existence, his objection is prosecuted as "refusal to obey" and punished with up to two years of prison, after which he is again requested to join the Army and serve his term. One prison term thus follows another until he reaches the age of fifty, theoretically; in fact the army finds other ways of getting him out of the way, by finding some excuse for dismissing him from its ranks as unfit.

But although the legal situation has not changed, there is a gradual change in the atmosphere, which can be credited largely to the Committee for the Legal Recognition of Conscientious Objection, a cooperative effort of FOR, the Quakers, International Voluntary Service, and a number of interested lawyers. Largely as a result of this committee's activity, a number of major French newspapers carried very sympathetic articles on the subject, centered on two CO cases judged June 12 and 13, but giving, in addition to their reporting of the trials, considerable background on the question, Le Monde June 13, Combat June 13 and 14, Franc-Tireur June 10, and Reforme June 21 (weekly), represent clearly this change of atmosphere. Two of the Paris papers sent special correspondents to Metz for Jean Widmer's trial, a thing which never happened before.

Jean Widmer, former Mennonite, now Jehovah's Witness, was tried for the fourth time Thursday, June 12. Whereas in previous cases the court was presided by M. Franck, a sympathetic person who sincerely regrets the present state of things, the head judge this time handled the case so roughly that the reporters sympathized immediately with Widmer. Jean was given no chance to speak himself, and during the defending lawyer's speech he made it obvious that he disapproved and didn't even intend to listen. Jean was condemned to fifteen months imprisonment.

Jean-Claude Rezer was tried the next day in Paris, apparently for his first offense. His grandfathers both died for France in the first World War, his father died at Dachau. Rezer was treated more fairly, by a judge who questioned him with a certain amount of understanding, but who had no intention of admitting anything valid in his position. The prosecutor made a fool of himself, as they often do, by trying to give a lesson in exegesis. Rezer received a sentence of two years, suspended, which means that he is free to be reimprisoned immediately for a second offense. This dubious honor of suspended sentence is often accorded to first offenders.

The work of the Committee for Legal Recognition is visible in the fact that most of the articles cite case histories of other objectors. Cesar Bugary, one example, was held nude in a cell for three winter months with only two blankets for warmth; after five years of prison he was deprived of his French nationality without due process of law, and thus exempted from further obligations to serve. Bruno Montanari suffered from gastric intoxication and could not eat; rather than give him medical treatment the prison authorities assumed he was a hunger striker and let him starve, so that he eventually lost 77 pounds, became mentally deranged and contracted tuberculosis in both lungs.

These are perhaps the most striking cases; they are by far not the only ones where military and prison authorities have been guilty of grave injustice. The fact that the knowledge of this injustice is reaching the public by means of major newspapers is one step in the education of public opinion in the direction of more decent treatment, but such education is not rapid. We should nonetheless recognize the value of this advance, for this flurry of publicity is far more useful than the one stirred up around Garry Davis.

X-05 342.05 N3 #49

X-UB342

U5N3

New address:
401 Third St., N.W.
Washington 1, D.C.

RECOGNITION OF CONSCIENTIOUS OBJECTORS
IN R.O.T.C. PROGRAMS
IN LAND GRANT COLLEGES AND UNIVERSITIES

1 - MAY 16
Copy - 1956

Rev. Norman Harsh, Executive Secretary of the First and Second Districts of West Virginia and Western Maryland and pastor of the Sunnyside and Nobley Churches of the Brethren, and Rev. Fred Bowman, pastor of the Keyser, West Virginia, Church of the Brethren, were appointed by the First District of West Virginia to make a study of recognition of conscientious objectors in the R.O.T.C. programs of land grant colleges and universities. On April 29, 1954, they sent questionnaires to the 52 white land grant colleges and universities to determine the number of these institutions that recognize conscientious objectors. The questionnaire is reproduced below:

1. Is an R.O.T.C. unit maintained on your campus? yes no
2. Is participation in this training voluntary? yes no
3. If participation is not voluntary, is "religious training and belief" (or some similar statement) recognized as a valid claim for exemption from R.O.T.C. training? yes no
4. Has your institution ever dealt with "conscientious objectors" in relationship to R.O.T.C. training? yes no
In about how many instances within your memory?
5. If your institution grants exemption from R.O.T.C. training to religious objectors, please use the reverse side of this paper to briefly outline your administrative procedure in handling the matter. Thank you!

Below is a tabulation of results from the 42 questionnaires returned:

	yes	no	no ans.
R.O.T.C. unit maintained on campus	41	1	
Participation voluntary	1	41	
Conscientious objectors recognized	22	16	4
Institution has dealt with COs	28	11	3

Pages 2 and 3 contain the answers of each institution that responded. The numbers at the top of the right hand columns correspond to the numbers of the questions. The answers to question 5 is found on the subsequent pages as well as explanatory statements given on some questionnaires with regard to questions 1 through 4.

X-UB 342. U5N3 #50

X-UB342

.U5N3

X-UB 342.U5N3 #51

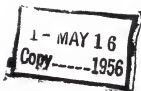
NSBRO LISTING OF COURT CASES1 - MAY 16
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(5#) Annett vs. U.S.
 5#) Bejelis, Walker vs. U.S.
 5#) Brewer vs. U.S.
 5#) Brussell, U.S. vs.
 5#) Christiano, U.S. vs.
 5#) Clark, U.S. vs.
 5#) Cords, U.S. vs.
 5#) Crawford, U.S. vs.
 5#) Derstine, U.S. vs.
 5#) Dickinson vs. U.S.
 5#) Edministon, U.S. vs.
 5#) Elder, U.S. vs.
 5#) Evans, U.S. vs.
 5#) Fisher, U.S. vs.
 5#) Geyer, U.S. vs.
 5#) Gonzales vs. U.S.
 5#) Hartman, U.S. vs.
 5#) Jewell, Thoman vs. U.S.
 5#) Jost, Arthur vs. U.S.
 5#) Jost, Otto, Petition of
 5#) Leidenfrost, T.E.A., Petition of
 5#) Lynch, U.S. vs.
 5#) Nichols, U.S. vs.
 10#) Nugent, Packer, U.S. vs.
 5#) Nugent, U.S. vs.
 5#) Oller, Perkarski, Donovan, U.S. vs.
 5#) Packer, U.S. vs.
 5#) Parker, Broadhead, U.S. vs.
 5#) Rogoff, U.S. vs.
 5#) Schuman vs. U.S.
 5#) Sicurella, U.S. vs.
 5#) Simanton, U.S. vs.
 5#) Simmons, U.S. vs.
 5#) Stasevic, Vincelli, Prytyskacz, U.S. vs.
 5#) Stull, U.S. vs.
 5#) Taffs vs. U.S.
 5#) Weidman vs. Sweeney
 5#) Wider, U.S. vs.
 5#) Witmer, U.S. vs.

SEND COURT CASES TO: _____

Amount _____

Remitted \$ _____



HOW TO FILL IN FORM 150

FOR CONSCIENTIOUS OBJECTORS

Conscientious objectors who desire to be classified as such under the Selective Service System must fill out SSS Form 150, Special Form for Conscientious Objector. If the registrant indicates that he is a conscientious objector on his Classification Questionnaire, SSS Form 100, he will be sent the Special Form for Conscientious Objector, SSS Form 150. If the registrant has any intention of claiming conscientious objection to military service he should request Form 150 at the time he fills out his Classification Questionnaire. However, local boards are required to furnish Form 150 to any person claiming to be a conscientious objector and as soon as a registrant has decided to claim conscientious objection he should request this form.

Form 150 is used for all conscientious objectors and the registrant should be sure to indicate whether he is a conscientious objector opposed to both combatant and noncombatant military service or whether he is opposed to combatant service only. If the registrant is opposed to combatant military service but will accept noncombatant military service he should sign statement A of Series I. If the registrant is opposed to both combatant and noncombatant military service he should sign statement B of Series I.

The following suggestions on how to fill in Form 150 are based upon the experiences of many registrants who have sought recognition as conscientious objectors. Five persons who have been working with conscientious objectors have each shared their observations from their own point of view. There has been no attempt to unify the style or approach of the five contributions and they should be considered a symposium from which registrants can gain suggestions applicable to his own situation.

Published by the

National Service Board for Religious Objectors

403 Third Street, N. W., Washington 1, D. C.

1 - MAY 16
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The oath of allegiance is not a part of induction. Registrants who have been inducted will be informed that the taking of the ceremonial oath of allegiance is not a part of induction. The oath will be administered by the service to which assigned as soon after the induction as practicable. In every instance there will be an appreciable break in order to insure that the taking of the ceremonial oath does not appear to be any part of the induction. The oath may be administered by an officer of any service and may be administered at any location as prescribed by the service in which indicated. If a nondeclarant alien is a member of the newly inducted group, the officer will explain the difference between the ceremonial oath of allegiance and the ceremonial oath of service and obedience.

The oath of allegiance reads as follows:

"I,, do solemnly swear (or affirm) that I will bear true faith and allegiance to the United States of America; that I will serve them honestly and faithfully against all their enemies whomsoever; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to regulations and the Uniform Code of Military Justice."

In the event a nondeclarant alien does not desire to take the oath of allegiance, he may be administered the following oath of service and obedience, which oath shall be substituted for the oath described above:

"I,, a citizen of, and without intention of surrendering such citizenship, do solemnly swear (or affirm) that I will serve the United States honestly and faithfully against all their enemies whomsoever, and that I will obey the orders of the President of the United States and orders of the officers appointed over me, according to regulations and the Uniform Code of Military Justice."

In the case of a person who declines to subscribe to any oath or refuses to sign the various papers after the oath of service and obedience is administered, he will be advised that he is already a member of the United States Army, Navy, or Air Force, whichever is appropriate, and his refusal to sign papers will in no way alter his status or disposition.

X-UB 342
.U5 N3 #54

THE CHURCHES
LOOK AT THE
CONSCIENTIOUS
OBJECTOR



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CONSCIENTIOUS OBJECTORS

IN THE

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